

# **Independent Scrutiny of Police Powers Panel**

**CASE REVIEW REPORT**

**Panel Meeting: 14<sup>th</sup> of December 2023**

# Contents

- Page 4 | [Panel Overview](#)
  - Page 5 | [Summary of December Scrutiny](#)
  - Page 6 | [Scrutiny Focus – Panel Questions to Police](#)
  - Page 9 | [December Case Categories](#)
  - Page 10 | [Panel Findings – December Themes](#)
  - Page 10 | [Organisational Learning Tracker](#)
  - Page 11 | [Highlights - December Individual Case Reviews](#)
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# PANEL OVERVIEW

The Independent Scrutiny of Police Powers Panel (the Panel) has been appointed to scrutinise the use of police powers to ensure it is appropriate and proportionate. This includes reviewing the use of Taser, Stop and Search and other use of force, by reviewing Body Worn Video (BWV) camera footage and reading police records of each incident.

The Panel of trained members acts on behalf of the Police and Crime Commissioner (PCC) as a *'critical friend'* to Avon and Somerset Police by communicating local people's views on how the police use their powers. The ISOPP Panel convenes quarterly to scrutinise files and footage related to the police's exercise of their powers. The meeting is attended by the panel members, representatives from Avon and Somerset Police, and representatives from the Office of the Police and Crime Commissioner (OPCC).

## Who are the Panel?



The Scrutiny Panel, currently 16 local people of diverse backgrounds, started in June 2017. The Panel meet quarterly and select categories of police cases to scrutinise.

## What does the Panel do?

- Independently scrutinises Avon and Somerset Police (the police) use of their powers.
- Aims to enhance the public's confidence in the work of the police.
- Ensures police openness and transparency.
- Acts as a *'critical friend'* to the police.
- Provides feedback on drafted police policy documents.
- Offers feedback, from a local person's perspective to the police on their use of police powers, particularly the use of force.
- View BWV camera footage of police incidents, including Stop and Search, feeding back good practice and areas for improvement.
- Observe police training.

In addition to special case reviews\*, as standard every four months (each quarter) the Panel chooses 50+ cases to scrutinise, reviewing the BWV on each case and preparing a report. Feedback is sent to the Police with particular emphasis on identifying Police Officer and organisational learning. The police response to learning is tracked by the panel.

*\*A special case review is an incident/case that has gained a lot of media attention/public interest, causing public debate/questions around actions taken by the police.*

# SUMMARY OF DECEMBER SCRUTINY



**62 cases** were scrutinised by the panel



**5 themes** were identified



More than **50 hours** of body worn video footage was viewed

## WHAT THEMES DID WE IDENTIFY IN DECEMBER?

1. Inadequate or no BWV footage available
2. Queries relating to the adequacy of grounds for Stop and Search relating to cannabis smell
3. Queries around application of procedure to offer or provide a Stop Search Receipt
4. Query around the use of handcuffs for compliant individuals
5. Cases of persistent requests for personal information

More details about the above themes are to be found at [page 10](#).

Ongoing organisational learning tracker from September 2021 can be found on [page 10](#)

Highlights of the December case review comment can be found on [page 11](#)

# SCRUTINY FOCUS - PANEL QUESTIONS TO POLICE

ISoPPP Panel Chair David Woodward asked the following eight questions to Avon and Somerset Police:

## **Children:**

When exercising Stop Search and Use of Force powers on children:

- a) What is the Officer's responsibility to safeguard the child.
- b) How does the officer discharge that responsibility.

## **Police Response**

*Chief Inspector Vicks Hayward-Melen is writing an ASP S&S Policy in consultation with colleagues and from feedback from our communities. The aim is to share this draft policy at the beginning of March with the ISoPPP. It will include changes around how we respond to children. Therefore, it probably makes sense to cover this question at the next panel.*

## **Right Care Right person:**

Please explain the police powers to detain an individual who appears to have a mental disorder when that person is:

- a) in a public place
- b) when not in a public place.
- c) what is the definition of a public place.

## **Police Response**

*The CoP APP website is a really useful area that explains the legislation under S136. [Mental health – detention | College of Policing](#)*

*In recent years policing has become progressively more complex and the pressures upon the officers who respond to emergencies have grown significantly. There has been a growing expectation upon police officers to respond to almost any public emergency, particularly involving those in a mental health crisis, in many cases with limited formal training and qualifications regarding the incident they are attending. In response to this the National Partnership Agreement regarding Right Care, Right Person (RCRP) was signed. This is a seminal agreement which outlines a multi-agency commitment to work towards ending the inappropriate and avoidable involvement of police in responding to incidents involving mental ill health, ensuring that vulnerable people are given the appropriate care by the appropriate agency.*

*Avon and Somerset Police have been working with our health and social care partners to implement RCRP locally. The first phase of RCRP will launch on 17<sup>th</sup> June 2024.*

# DECEMBER CASE CATEGORIES

The Panel identified a number of case categories for scrutiny focus at the September meeting. A full list of cases that fell under each category type were requested from police. The panel then selected, reviewed, and scrutinised 62 random cases. The following categories were selected for scrutiny:

## Use of Force

1. Complaints by a member of the public against police relating to their use of force
2. Incidents in BANES and South Glos
3. Use of Force at Stop search
4. Taser Incidents

## Stop and Search

5. Effected because of a suspicion of use/smell of cannabis
6. Complaints by a member of the public against police relating to Stop and Search
7. All Strip search
8. Effected with the compliant use of handcuffs
9. By officers working under Operation Remedy (a proactive police operation)
10. Effected after a S163 vehicle stop by officers
11. Of BAME persons aged 18 years old and under

# PANEL FINDINGS – DECEMBERS THEMES

Following the scrutiny of 62 cases, the Panel balanced the actions of officers against police procedures and policy. The following themes were identified in December and raised with police for comment:

Theme Identified by Panel	Police Response
<p><b>Theme 1</b></p> <p>1. Overall Of the 62 cases selected 37 i.e. 59% had full and adequate BWV.</p> <p>2. Stop and Search Of the total of 24 cases, of which 10 i.e. 41% had full and adequate BWV</p> <ul style="list-style-type: none"> <li>• 3 cases had no BWV</li> <li>• 9 cases had inadequate BWV because it stopped early or started late.</li> <li>• 2 cases were not saved as evidential.</li> </ul> <p>Note that of the 6 Strip Search cases:</p> <ul style="list-style-type: none"> <li>• 1 had audio of the Strip Search itself and incidentally of the transport to a police station for the search.</li> <li>• 5 had no BWV at all once the detainee was on route to custody for the Strip Search.</li> </ul> <p>3. Use of Force Of the total of 29 cases, 68% i.e. 20 had full and adequate BWV.</p> <ul style="list-style-type: none"> <li>• 8 cases had no BWV</li> <li>• 1 case had inadequate BWV</li> </ul> <p>4. Complaints Of the total of 6 cases, 83% i.e. 5 had full and adequate BWV</p> <ul style="list-style-type: none"> <li>• 1 case had no BWV.</li> </ul>	<p><i>The scrutiny delivered to date from ISoPPP has led to a better understanding by the police as to ways to improve public confidence. Officers overall are consistent in having BWV on to capture the use of police power, they have not been given guidance to cover the build up to the use of police power and post interaction on BWV. The feedback from the ISoPPP has been invaluable and informing the new ASP Stop and Search policy and is referenced in the new BWV policy to inform officers.</i></p>
<p><b>Themes from Stop and Search Cases.</b></p> <p>Of the 24 cases in total:</p> <ol style="list-style-type: none"> <li>a) 6 cases had inadequate grounds, of which 4 were the smell of cannabis</li> <li>b) 6 cases, where no receipt was offered</li> <li>c) 5 cases of handcuffing of a compliant individual</li> <li>d) 2 cases of persistent requests for personal information</li> <li>e) Of 6 Strip search cases only 1 had audio of the Strip Search itself</li> <li>f) 9 cases where some aspect of GOWISELY was omitted</li> </ol>	<p><i>Chief Inspector Hayward-Melen is writing ASP guidance for stop and search to enhance what already exists through CoP APP. This will provide officers more guidance around themes identified under a), b), d) e) and f). There will be training for officers on the guidance later in the year. The learning from the ISoPPP in recent years will inform some of this guidance. Chief Inspector Sims is currently overseeing a task and finish group looking at the factors that influence 'compliant handcuffing'. Learning from the ISoPPP will be fed into that Task and Finish Group.</i></p>

	<p><i>All themes raised by the ISoPPP are now formally captured on the force organisational learning registry where an owner can be allocated, and any improvement activity can be monitored.</i></p>
<p><b>THEMES FROM MENTAL HEALTH CASES; RIGHT CARE RIGHT PERSON.</b></p> <p>The Panel reviewed several UOF and Complaint cases where either the original call out was because of MH issues or the issues developed whilst the officers were with the individual. e.g. Complaint Cases 56 and 57 UOF 30,34,41 and 52.</p> <p>Without exception the officers acted with patience, empathy and a fully caring attitude which is to be commended. They tried to establish background information and what support, professional or personal, was available. They provided information about the Crisis Team and other support agencies.</p> <p>It is of note that as soon as the individual declared an intention to do themselves harm the officers approach changed, presumably, because they could not leave until that intention had been investigated. If the individual's condition deteriorated and they were not in a public place, it appeared that the officer had no choice but to "find" a reason to arrest so the individual could be taken to a place of safety.</p> <p>It is of interest to speculate;</p> <p>a) whether the officers would have been directed to attend the individual at all under a "Right Care Right Person" model?</p> <p>b) If no officer did attend how would other services have reacted and dealt with the situation?</p>	<p><i>In recent years policing has become progressively more complex and the pressures upon the officers who respond to emergencies have grown significantly. There has been a growing expectation upon police officers to respond to almost any public emergency, particularly involving those in a mental health crisis, in many cases with limited formal training and qualifications regarding the incident they are attending. In response to this the National Partnership Agreement regarding Right Care, Right Person (RCRP) was signed. This is a seminal agreement which outlines a multi-agency commitment to work towards ending the inappropriate and avoidable involvement of police in responding to incidents involving mental ill health, ensuring that vulnerable people are given the appropriate care by the appropriate agency.</i></p> <p><i>Avon and Somerset Police have been working with our health and social care partners to implement RCRP locally. The first phase of RCRP will launch on 17<sup>th</sup> June 2024.</i></p>



# ORGANISATIONAL LEARNING TRACKER

As part of their ongoing work to scrutinise policing, the the Panel have identified key organisational learning areas for Avon and Somerset Police. The panel continue to review, track and scrutinise how lessons identified are managed.

*The tracker would normally be displayed here; due to the time lapse in September and December reports being composed and published, the tracker will be updated accordingly and available to view on the March 2024 report.*

# HIGHLIGHTS – DECEMBER INDIVIDUAL CASE REVIEWS (use top 20)

Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
1	<p><b>Strip Search – Stop Search</b></p> <p>Drugs found.</p> <p>The DP was witnessed by Police to take part in a Drugs Deal on the street. DP was then observed to get into a Taxi. The Taxi was stopped and the DP was detained and searched under S.23 Misuse of Drugs Act. DP was handcuffed and taken to a Police Station where she was strip searched and suspected Class A drugs were found in her clothing. DP also concealed suspected Class A drugs internally. The journey to Custody was not captured on BWV. The strip search of the DP was not captured on BWV.</p>	<p><b>Positive Feedback:</b> Arresting officer was out of video shot but sounded very calm and courteous. The initial stop and arrest was compliant, the female officer went through GOWISELY, and that's where the video stopped.</p> <p><b>Negative feedback:</b> The female officer did not use BWV at the outset or at all. All we have is 2mins BWV from the accompanying officer. Also, DP taken to Kenneth Steele House for a Strip search and there is no BWV of journey or Strip Search. Overall this is a strip search with no BWV so scrutiny impossible.</p> <p><b>Additional comments:</b> Couldn't see much of the footage as the officer was looking at the driver. BWV to focus on subject matter and conversations with them.</p>	<p><i>The panel's observations in this case are noted, with thanks. All officers deployed in this matter should have had BWV activated and this will be fed back to the female officer who did not use BWV in this instance. The use of BWV in searches requiring the exposure of intimate parts will be addressed in the new stop and search policy, which is currently being drafted and will make expectations clearer to officers and the public.</i></p>

Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
3	<p><b>Strip Search / Stop Search</b></p> <p>No further action.</p> <p>Officers were proactively patrolling a location known to be frequented by drug suppliers / users. A member of the public alerted the officers to possible drug supply taking place. The DP and another male he was in company with, were stopped and detained for a S.23 search. The DP is heavily linked to County Lines Drugs supply. The search resulted in the recovery of mobile phones and cash but no drugs. The DP was taken to a Police Station where he was Strip Searched but no further items were found. Video 1 of 2 shows Stop and Search and journey to Custody. Video 2 of 2 shows Strip Search at Police Station (Audio Only).</p>	<p><b>Positive Feedback:</b>  Perfect gowisely, nice demeanour throughout, all kept very easy going, nice dialogue keeping things calm and controlled. Well done!  Officer calm straightforward and avuncular. Kept up a good conversation with a compliant DP who was happy to talk. Officer to be commended for having his BWV on throughout including transport to Police station where the Strip search was audibly recorded.</p> <p><b>Negative feedback:</b>  The search was for drugs. None found at roadside, but DP's phones seized. Decision to strip search which was negative. Until an arrest the phones should not have been seized.</p> <p><b>Additional comments:</b>  NA</p>	<p><i>The Constabulary thanks the panels for its feedback in this case. The positive observations regarding the officer's BWV use and interaction will be fed back to them. Regarding the seizure of the phones, the seizure was lawful under s.19 PACE and did not require an arrest to do so. An arrest could have been justified in this case but the way the officers have chosen to deal with this is also a legitimate option. Whilst the views of this course of action are noted, on this occasion the Constabulary supports the decision of the officers regarding the phones and lack of arrest.</i></p>

Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
4	<p><b>Strip Search / Stop Search</b></p> <p>Drugs found.</p> <p>The DP has been seen by officers actively involved in a group of males making hand to hand exchanges on a street to a number of suspected class A drug users. The DP has been detained under S23 and a large quantity of cash has been located in his pocket. The DP is known to Officers for previously concealing drugs in his underwear and so was taken to a Police Station for a full strip search. During the search a significant amount of Class A drugs were found when they fell from the DP's underpants. The journey to the Police Station and Strip Search were not captured on BWV. BWV supplied is of S.23 search at the side of the road.</p>	<p><b>Positive Feedback:</b> The Officer had good calm tone to his voice, explained the reasons for the s/s and in my view handled the DP well. Straight forward professional search. Cuffing justified by danger of disposal of drugs.</p> <p><b>Negative feedback:</b> Failure to keep BWV running from time placed in car for transfer to station for strip search. Failure to BWV the time at the station with audio only for the strip search itself. No BWV sound for strip search</p> <p><b>Additional comments:</b> Obscuring of the BWV in the film. Perhaps this can be addressed as a learning point. There is also the problem that there is no BWV of the strip search, but I have given feedback on the basis of the BWV that I have been provided with and it caused me to particular concerns.</p>	<p><i>The Panel's feedback is received with thanks. The positive feedback will be shared with the officer concerned. Regarding the use of BWV in searches exposing intimate parts, this will be clarified, and expectations made clear in the new stop and search policy. It has been recognised by ASP that this is an area of organisational learning, and it will be address in the coming months.</i></p>

Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
5	<p><b>Strip Search</b></p> <p>Drugs found.</p> <p>**Please note that there are x 2 DP's for this incident. There is no BWV footage for the search of the DP that the panel selected (Of the 2 officers that searched that DP, one officer did not record BWV and the other did record but did not save as evidential) so I have reviewed and supplied BWV for the other DP.**</p> <p>Officers saw a vehicle driving at speed around residential streets. The vehicle appeared to be trying to evade Police. Officers stopped the vehicle and on approaching it, a strong smell of suspected Cannabis was coming from the window. Due to the manner of driving and the smell of Cannabis, the DP and another male were detained for S.23 Dugs search along with the vehicle. The DP had an amount of Cash on him and in the vehicle was a smartphone that</p>	<p><b>Positive Feedback:</b></p> <p>Both officers were calm, polite, friendly but firm throughout the whole incident. They kept the situation low-key, keeping up a commentary on what was happening and why, keeping the suspects informed throughout, and this all helped to maintain a professional but calm atmosphere.</p> <p><b>Negative feedback:</b></p> <p>To add further context, and to provide further justification, why was the BWV not turned on during the police car following the DP vehicle, or at least before they approached the suspects?</p> <p><b>Additional comments:</b></p> <p>Not all BWV footage was available of both suspects, but this was explained in the summary notes, so not an issue.</p> <p>Officers mentioned that messages relating to drug dealing had been found on a phone in the car, but that was before the arrest; the messages on the phone were also later mentioned as one of the reasons for suspecting involvement in drug dealing and therefore arrest.</p> <p>I do not understand the escalation from, speeding and evasion, to stop &amp; search, to finding small quantity of cannabis, to a full strip search. Although the strip/search outcome was positive against one of the DP's, it seemed tenuous.</p>	<p><i>The Constabulary notes the observations of the Panel in this case, thank you. Further review of this case inspired by the Panel's scrutiny has identified that there is learning for the officers involved, which has been passed to their Chief Inspector to ensure is delivered in a way that is conducive to improving practices going forward.</i></p>

Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
	<p>contained messages relating to drug dealing activity, a snap bag of suspected cannabis and a cannabis grinder. The DP was strip searched and no other items were found. The other DP, (that there is no BWV for) was also strip searched and bags of Cannabis were located in his underpants. Both DP's arrested and charged. BWV footage shows Stop of vehicle, grounds given and S.23 search. BWV supplied also shows officers explaining reason for strip search, journey to the Police Station and audio of Strip Search. Footage of arrest and journey to Custody is available but not supplied.</p>		
7	<p><b>Cannabis smell</b></p> <p>As above.</p>	<p><b>Positive Feedback:</b> Gowisely not explained or adhered to by the officer leading the search with the homeless lad, couldn't hear if the other officers explained gowisely.</p> <p><b>Negative feedback:</b> Officer whispered that he thought he could smell cannabis, only grounds for search that were mentioned, although a bong was seen by the tent.</p> <p><b>Additional comments:</b> NA</p>	<p><i>The Panel's comments in this case are noted, with thanks. The importance of searching officers (if they are not the detaining officer) being content with GOWISELY and ensuring it has been provided to the person being searched before commencing a search is being addressed in the new stop and search policy, as it is recognised that clarity is needed here. This case has demonstrated the need for this organisational learning.</i></p>

Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
14	<p><b>Stop Search</b></p> <p>No further action.</p> <p>Police received a third-party call from a member of public reporting two males trying to remove a bike from a bush. The bike was suspected stolen by the witness and the description given by them matched one of the two males located in the immediate area. DP was detained S1. PACE. No items found.</p>	<p><b>Positive Feedback:</b> Clear explanation of grounds. Made it clear did not have to provide personal details. Negative search and lad on his way.</p> <p><b>Negative feedback:</b> Officer made it clear that a stop search receipt was available but at end said need personal details for it and did not make it clear that the SS Receipt could be issued on the spot.</p> <p><b>Additional comments:</b> Appropriate use of police power - but points of learning identified.</p>	<p><i>The observations made by the Panel in this case are received with thanks. The feedback has been provided to the officer involved and it is positive to see the comments about personal details.</i></p>
20	<p><b>Stop Search</b></p> <p>DP is 13yrs old. Police received a report of males attempting to steal a motorcycle. On arriving a couple of roads away from the incident location, Officers spotted two males walking on the pavement. Due to the time of night and no other persons present, Officers stopped their marked Police car to speak to the males and one of the males started to run off. He was detained nearby. The male that did not run off is the DP and was detained S1. PACE. Video 1 of 2 shows DP being searched</p>	<p><b>Positive Feedback:</b> Clear explanation of grounds. Made it clear did not have to provide personal details. Negative search and lad on his way.</p> <p><b>Negative feedback:</b> BWV Started late (as stated by the officer) so don't know grounds and whether GOWISELY compliant. BWV finished early with DP being taken home and still detained after a negative search. DP did not run away but when BWV starts, he is cuffed. No justification given. From notes S1 Pace so presumably searching for implements with which to steal a m/cycle. Find is a hat and keys which he says are his mothers. Are these the implements being searched for? Subsequently a scarf is added to the hat and keys and seized as "evidence ". Of additional concern is seizure of his phone at a negative search and without his arrest. The officer takes the pin and makes it clear he will interrogate the phone for evidence. What was the power to do so without an arrest?</p> <p><b>Additional comments:</b> The BWV is inadequate as it does not record the start of the s/s nor indeed the circumstances in which and the reason why the DP was handcuffed. His demeanour once the film starts up is very calm and compliant. From the video I</p>	<p><i>The Panel's feedback is gratefully received in this case. The effective use of BWV is a theme that is being addressed within the organisation and it is noted that the ISOPPP are keen advocates of this. The seizure of the phone as evidence of an offence for analysis does not have to be done following arrest, s.19 PACE allows an officer to seize the item in such circumstances. It is noted that the detention of the child continued when they were taken home - in the circumstances it is reasonable to assume that the public would expect the child to be safeguarded rather than left on their own, but legislation does not quite support officers' ability to do this. It is a challenging situation which has been raised at a national level and remains a key topic for discussion.</i></p>

Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
	<p>- Footage stops as unrelated incident occurred which the detaining officer assisted with. Video 2 of 2 continues when detaining Officer returns to the DP and shows continuation of detention of DP.</p>	<p>am not satisfied that the use of the handcuffs was appropriate.</p>	
21	<p><b>BME – Children</b></p> <p>DP is 14yrs old. DP was sighted by Officers with group of males at a public park which is a known drug dealing location. The DP was believed to be involved in suspected Drug dealing. He was detained S.23 and searched but no drugs or any other items found.</p>	<p><b>Positive Feedback:</b> The BWV was turned on early and included the approach which was helpful. The officers recognised the young male was being compliant and avoided the use of handcuffs or other force.</p> <p><b>Negative feedback:</b> Officers several times made comments about his demeanour such as 'why are you tensing up?' and commented that he seemed to be acting as if there was something wrong and restrained his hands - when it should have been so obvious to them that of course he was worried and tensed up, he was a 14-year-old black boy stopped and searched by the police, and not for the first time. The grounds for suspicion seemed tenuous - “an officer might have seen you involved in drugs” with a very broad reference to “males matching your description”. (potentially about being black?) It appeared to be a speculative stop and search based only on being in a park known for drug dealing. The comment from officers at the start supports this belief “let’s turn them all over and see what we get”. Although no obvious signs of discrimination or bias, did the intel specifically state BAME youths involved?</p> <p><b>Additional comments:</b> Unclear why this young man was selected from the group of three to be searched - couldn't catch all that was said on audio when the reason for a search was given, but something to do with 'a witness .... someone matching your description'. All three young men looked very similar, but only this one was searched. His friends commented 'It's always you!' so perhaps something to do with how he looked? Or simply</p>	<p><i>The observations of the Panel are noted in this case, thank you. This case will be discussed with the officer concerned as there are questions rightly identified by the panel and learning relating to the explanation of the grounds and how the person stopped had been identified.</i></p>



Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
		<p>the fact that the three were there in that particular park? It would be good to clarify why he was chosen for a search.</p> <p>Officers were in plain clothes, but not sure if they showed warrant card or not.</p> <p>Phone was taken, but nothing was found in the search, and the phone was handed back.</p> <p>This was stop search but NOT strip search; young man was 14 years old, and no adult present apart from officers</p> <p>No serious problem in terms of result, and officers were courteous and low key throughout, but still feels uncomfortable that he needed to be 'detained' rather than just at least starting the encounter with an informal chat and questions. It would be good to understand what special measures officers are expected to take in different situations when dealing with a minor (stop search/use of force/arrest/ appropriate adult etc).</p> <p>Was this an intelligence led search, or targeted disruption?</p>	
27	<p><b>U18</b></p> <p>DP is a 14-Year-old male detained by police officers for a PPO. The DP assaulted them by spitting and kicking at them and breaking a PCSO's Watch. DP also committed offence of Section 5 Public Order.</p>	<p><b>Positive Feedback:</b> Initial calm conversation and good explanation.</p> <p><b>Negative feedback:</b> 3 to restrain and at one point kneeling on neck. Number of officers arriving before it escalated seemed excessive and stated to escalated situation too many people talking. Video view poor and often not of the suspect or what was going on. Constantly being told tone calm but different individuals which was escalating situation rather than calming. Individual was not a suspect until needing to be put into the police car and then behaviour escalated and was arrested - too many people talking and at this point prior to escalation was surrounded by 4 officers.</p> <p><b>Additional comments:</b> Body cam from officer not always clear and at times not covering child who was arrested. Not sure if other body cam footage was recorded by officers who handcuffed child. Whilst assaulting a police officer is not acceptable the situation had escalated from calm to explosive and a lot of people involved. Police van took a long time to arrive.</p>	<p><i>We are grateful for the feedback from the panel regarding this incident involving a young person. We accept that a number of officers were involved in the restraint and tried to communicate with the male who was resisting, verbally threatening and also assaulted officers. Whilst we will never condone the abuse of officers, we do accept that we must remain professional and use the appropriate techniques in the circumstances. In this case we believe that there is an opportunity for learning and this will be fed back to those involved whilst recognising the abuse they faced.</i></p>

Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
39	<p><b>Firearms stop</b></p> <p>DP is 14yrs old. Police received reports that occupants of a vehicle were seen waving what was described as a handgun out of the vehicle. Vehicle stopped and all occupants including the DP and vehicle searched under S.47 Firearms Act. 2 x Toy Guns were located in the vehicle, so DP was arrested. Footage shows Firearms Officers with weapons drawn and aimed at vehicle calling out DP and making the arrest.</p>	<p><b>Positive Feedback:</b> The female officer was quite good at calming the young man given the circumstances.</p> <p><b>Negative feedback:</b> The process appeared to take too long. Officers tried to avoid cuffing a 14yr old but eventually it was necessary to control him. Having arrested him they told him if he remained calm, they would de arrest and that is what happened.</p> <p><b>Additional comments:</b> NA</p>	<p><i>We thank the panel for their feedback in this case. We accept that the process of dealing with this incident appears to take some time, however, this case involved the deployment of Authorised Firearms Officers (AFOs) due to the report of a firearm. Our AFOs are highly trained to deal with this type of incident and we are satisfied that the male was given the appropriate time and space to comply with the officers so that they could safely detain him and search the vehicle. Whilst the actions of all officers must be legitimate and proportionate; there is a greater risk to the public and officers where there is suspicion of a firearm present.</i></p>
40	<p><b>Taser</b></p> <p>Report to Police from Ambulance of a female running down the street with a knife saying she will kill people. The female told ambulance that she had slit her wrists and taken an overdose and kept asking for armed Police. She would not provide any further details to Amb. Officers attended the area and located the DP. She was asking numerous times for armed Police and said that she wanted to run at</p>	<p><b>Positive Feedback:</b> Clearly previous possibly mental health history with this one, the officers were trying very hard not to deploy the taser, but were left with no choice, patiently handled with a valiant attempt to de-escalate.</p> <p><b>Negative feedback:</b> NA</p> <p><b>Additional comments:</b> NA</p>	<p><i>We thank the panel for their positive comment ins this care. Our colleagues have dealt with this incident with care, compassion, and professionalism throughout. Force was used as a last resort after lengthy attempts to use verbal communication to de-escalate the situation was not successful.</i></p>

Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
	<p>them with a knife so they would shoot her. The officers asked the DP multiple times to drop the knife and she refused. The street was busy with members of the public and the DP kept walking further down the street holding the knife. DP was then tasered resulting in her dropping the knife and she was arrested.</p>		
41	<p><b>Taser</b></p> <p>The Mother of the DP called the police reporting that the DP was in her home address having been recently released from hospital after being sectioned. She reported that he was inside the address with 3 crossbows and has threatened to shoot himself or anyone coming into the property. The female had escaped for her own safety and confirmed that there was no one else inside the address other than the DP. She told call handlers that the DP had shot a Crossbow into her cushions and at one point the DP had a knife in his hand but had</p>	<p><b>Positive Feedback:</b>            Immediate containment with no injuries to anyone. Full care following the firing of the taser (2X).            The one officer appeared to show a good attempt at de-escalation but his efforts were scuppered by the officer who appeared intent on deploying force.</p> <p><b>Negative feedback:</b>            DP approaching them and officers pointing tasers at him. One officer (the de-escalating one) is telling him to stand still and get on the ground. Before knowing if he will comply, the other officer (determined to deploy force) says just fucking taser him mate. The DP hears this, and it appears to cause the DP to back away from the officers. He is naked and clearly has nothing in his hands. He is tasered and falls to the ground. The out-of-control officer then tells him to stop fucking about. He is in fact writhing in agony having just been tasered and quite unnecessary to speak to him like this, in my view.            There is then a second example of what seems to be wholly inappropriate, and in my view shocking, use of force. The DP is tasered on the ground. There appeared to be no justification for this, and it felt vindictive and rather cruel.</p> <p><b>Additional comments:</b>            The officer explained to the DP that taser had been used as he was saying shoot me and second taser was because he was trying to remove barbs from first taser and might have run back into</p>	<p><i>We thank the panel for their observations in this case. This matter was referred to Professional Standards a short time after the event and it remains under review and as such we cannot provide further comment at this time.</i></p>

Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
	<p>thrown it down. Firearms officers attended the address had a containment and the DP came to the door wearing only a towel. He then dropped the towel. He was goading firearms officers to shoot him and then went to walk back inside of the address. Due to the threat that he may go back in and gain access to the crossbows, Taser was deployed. DP was detained and arrested for Threats to Kill. He was then conveyed to hospital.</p>	<p>house. As the DP was naked and had hands in air as he walked across the grass towards the officers was there a viable alternative to tasing. Plenty of warning given for taser with 'get on the floor' said at least seven times, but man in house didn't get on floor, and turned his back on police officers, so use of taser and PAVA probably the only way in the circumstances to detain him.</p>	
42	<p><b>Taser</b></p> <p>An Off-Duty Officer was driving home when he saw a very intoxicated adult female walking alone with a young child in a pushchair. The officer was concerned about the child because the female appeared to be so intoxicated and also appeared to have urinated on herself. The officer tried to engage with the female, but she continued walking. The officer then witnessed the female fall over and then pick herself up so he</p>	<p><b>Positive Feedback:</b></p> <p>Officers spent a lot of time with this person, with the female officers gradually calming her down, being reassuring, answering her questions, and going along with her requests within reason (e.g. loosening handcuffs) or explaining reasons when they couldn't. She was v dismissive of male officers and they were sensitive to this, staying a distance away when she asked them to step back. Female officers were able to reduce the stress of the situation and build trust, so eventually she was calm and cooperative, though it took quite some time.</p> <p>The officers engaging with the DP on arrival and after taser was used, handled the situation sensitively. They reasoned well with her to good effect and remained patient. They were gentle in cradling her head to prevent self-harm, removing hairs from her mouth and reassuring her about her child. The objection to male officers being at close proximity was handled respectfully. A officer sat on the floor next to her and either same or different officer opened the cage in the van and held her hand which helped greatly in keeping things calm. Care was taken to improve her comfort whilst restrained and to reward calmer behaviour with a period out of cuffs.</p>	<p><i>The panel have provided fair and balanced feedback for this case for which Avon and Somerset are grateful. Having reviewed the incident, we agree that the use of taser at the time has contributed to the escalation in the incident and as a result we are engaging with the taser officer as part of one to one feedback to consider any reflections and learning.</i></p>

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	called 999. Officers arrived on scene and attempted to engage with the DP. However, the DP was very irate, aggressive and the officers were in agreement that there were concerns for the very young child. Whilst officers attempted to engage with the DP and de-escalate, the female continued to be aggressive and abusive. due to the violent nature that the female was displaying, the female was subsequently tasered and brought under control by the attending officers.	<p><b>Negative feedback:</b> I felt the officers were handling the situation without the need for the sudden introduction of taser which felt incongruous with what was happening. It seemed so sudden it made me jump when the officer appeared on scene shouting the warnings. The individual had been increasingly vocal and was pulling away from officers, but I question whether it was necessary to fire the taser. There were 2 officers with hands on who could potentially have brought her under control and cuffed, but they had to move out of the way when taser fired. It felt like an overzealous response from one officer.</p> <p><b>Additional comments:</b> This case isn't in the category of Stop and Search but didn't hear the officer give ID or the name of the station. It potentially warrants force review to determine if the use is felt to be warranted when other approaches could have sufficed. Female officers were talking with her but the male officer came in and escalated it very quickly.</p>	
46	<p><b>Taser</b></p> <p>999 call from partner reporting domestic assault. Officers attend, DP is in bed and is arrested. DP is PAVA'd, DP then picks up bedside cabinet and throws it across bed towards officers. Taser is deployed, DP stands up, Taser re-energised and DP handcuffed to rear. Once outside DP is taken to ground and limb restraints applied. Aftercare completed.</p>	<p><b>Positive Feedback:</b> Contained DP and avoided injury to anyone. To achieve this they used PAVA, Taser and ASP in a small bedroom. The police officer who had his BWV on (20-minute clip) was in my view excellent in the way he handled the situation. He had good, measured command through his tone of voice both the DP and his colleagues. He did not rise to the taunts of the DP but also did not ignore them. He gave guidance to his seemingly less experienced colleagues on several occasions on ensuring they took the right actions and took a verbal lead. He took care of the DP when removing the taser probes and took care to blow the nose of the DP to address post PAVA problems.</p> <p><b>Negative feedback:</b> NA</p> <p><b>Additional comments:</b> I have indicated that that the UOF was appropriate but do have a query in relation to</p>	<p><i>In this case officers faced sudden violence from the suspect which could have resulted in serious injury. We are thankful for the positive feedback from the panel. Having reviewed the BWV footage we are satisfied that the officers at the scene acted professionally, proportionately and courageously which resulted in the safe detention of the suspect without any injury to anyone at the scene.</i></p>

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		<p>the use of the baton. Watching the film, it is hard to understand to what the purpose of the baton was at that juncture so I am not sure.</p>	
55	<p><b>Complaint</b></p> <p>Complainant alleges that officers have used excessive force; Pushed her out of the way and then used PAVA spray, which has hit her and her granddaughter.</p>	<p><b>Positive Feedback:</b></p> <p>Clearly previous possibly mental health history with this one, the officers were trying very hard not to deploy the taser, but were left with no choice, patiently handled with a valiant attempt to de-escalate.</p> <p>Use of taser secured control.</p> <p>Once detained in the police car there was a positive exchange between the officers apologising for use of PAVA and Taser and the individual apologising for his behaviour - both understanding the others position.</p> <p><b>Negative feedback:</b></p> <p>I think the whole situation got a bit out of hand from the get go, no attempt was made to de-escalate, taser/pava was immediately drawn almost as soon as the door reopened, it to me seemed almost a foregone conclusion that Both were going to be deployed. it was quite possible that the situation could of been calmed down had de-escalation techniques been applied. even before the door had been opened for the second time the situation was escalated outside by the officer deciding very early on to retrieve the universal big red door key from the rear of his vehicle without again trying to talk through the door or initiate any form of dialogue, normally forced entry would be seen as a last resort and not a first resort. The entire interaction to me seemed to be decisions made without prior consideration, certainly no thought or reference to the DMM, the whole interaction was very reactive rather than pro-active.</p> <p><b>Additional comments:</b></p> <p>The BWV footage does not provide a clear view of the alleged affray and means I can't comment on the complaints claim about excessive use of</p>	<p><i>The panel have provided varied feedback in this case and we can understand that views may differ. Having reviewed the BWV footage of the attending officers, it is clear that the suspect has presented in an aggressive manner and also made very clear verbal threats of violence. There is some attempt to communicate with those at the scene, however, we believe that the use of force was appropriate in a fast paced an volatile situation.</i></p>

Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
		<p>force or the suggestion she was pushed out of the way with PAVA spray hitting her and her granddaughter.</p> <p>Individual was incredibly abusive and seem to escalate quickly. Whilst in retrospect the force might have been severe, at the moment when the decision was made it seemed correct.</p> <p>Both officers having BWV on would have provided a fuller view of what took place.</p> <p>Further training perhaps on use of the decision making model and de-escalation techniques.</p>	
56	<p><b>Complaint</b></p> <p>Complainant alleges the officer "was wrestling me to the ground cuffing me and then dragged me outside with no footwear, no bra etc. completely denying me any dignity in front of the bullies lying in a puddle with her arm or foot on me."</p>	<p><b>Positive Feedback:</b></p> <p>Officer very calm and patient listening to DP's manic verbal's for first 20 mins. Officer's had clear concern about DP's mental state and reluctant to leave her. When DP "lost it" the opportunity was taken to arrest her for assault. No justification in her Complaint.</p> <p>Initial good use of BWV, audio of purpose of visit at start. Officer made safeguarding suggestions, which were declined.</p> <p><b>Negative feedback:</b></p> <p>Confusion on whether house had been secured, shoes/phone for DP (which had been agreed officers would get), handcuffs did not make more comfortable when support officers arrived (which DP had been told would be possible). All these increase anxieties of DP and escalates the situation for DP. Telling her to "calm down" is not a good de-escalation tool.</p> <p><b>Additional comments:</b></p> <p>Complaint as quoted on the Case Summary Sheet was that the officer "was wrestling me to the ground, cuffing me, and then dragged me outside with no footwear, no bra etc, completely denying me any dignity in front of the bullies, lying in a puddle with her arm or foot on me."</p> <p>The video shows that subject was only put on the ground when she struggled outside - before that officer and subject had been standing, presumably to wait for the police van. The restraint was the officer's hand on subject's shoulder, and subject was helped to sit up once she calmed down. I couldn't see any evidence that she was 'dragged' outside. The fact that she was not wearing a bra under her t-shirt was irrelevant.</p> <p>Under the circumstances of subject getting more</p>	<p><i>The observations from the panel are noted with thanks. This was a difficult situation involving an officer who was solo crewed, nonetheless, they dealt with the arrested person with care and professionalism. This matter was also referred through our Professional Standards Department and it was determined that there no further action required for the officers involved.</i></p>

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		<p>and more agitated, unable to control herself, possibly with mental health issues and needing help, and not responding to what was going on around her, the officer's actions seemed appropriate to take care of the subject and the situation.</p>	
57	<p><b>Complaint</b></p> <p>The complainant alleges the officers tried to knock her son off the e-scooter.</p>	<p><b>Positive Feedback:</b></p> <p>Very well handled indeed, admittedly we only see the interaction in the house and not that which precedes this video including the initial interaction with the young man on the scooter. The female officer remained very calm and courteous throughout, offering help and support at all times, incredible patience was shown, and great understanding of mental health issues were also shown. I think the lead officer should be applauded for her handling of the entire interaction, 10/10!</p> <p>This was a complaint case with no use of force or SS. Officers and female officer who took lead, in particular, very patient with autistic male living with supportive parents and siblings ... Apart from seizure of electric bike they focused on him saying he kill himself and bottomed out risk.</p> <p><b>Negative feedback:</b></p> <p>A male colleague did not come across as someone who might deal with a similar situation as well as the officer dealing with it. He was spoke about arresting the man and later inside the house he didn't seem to have an understanding of poor mental health.</p> <p><b>Additional comments:</b></p> <p>NA</p>	<p><i>We are thankful for the overwhelmingly positive feedback from the panel and this is an example of the dynamic and varied role that officers play in supporting communities whilst dealing with alleged criminality positively.</i></p>



Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
58	<p><b>Complaint</b></p> <p>Complainant alleges that officer used excessive force; 'I do not know what happened prior to me walking past, but I saw a single officer and a man who looked around 40 having a bit of a heated discussion. The police officer forced the man to the ground.</p>	<p><b>Positive Feedback:</b> Officer not going to let it go without identifying DP. Tries various routes and suspicions confirmed when DP does a runner. Good running athleticism from officer and commandeers a cycle to pursue the DP.</p> <p><b>Negative feedback:</b> There appears to be no lawful authority for the detention in the first instance, nothing is recorded on the BWV. The DP asks after 8 minutes if he can go on his way, but the PO will not let him and instead says he has to come back to his car but at no point explains that he is being stopped searched (is he?), the basis for that and that the police have powers to detain to conduct a stop search. It seems from the narrative that the DP was observed with a box of washing powder under his shirt that the PO considered to be suspicious. The treatment to me feels oppressive because the PO at no point explained any lawful authority to detain him - eventually the DP ran away. That caused a chase and handcuffing and an arrest on suspicion of theft. If the classification is UOF - handcuffs then it appears it is appropriate as the DP had ran away. However, the more troubling aspect is the period of time that the PO sought to detain the DP without any explanation of the lawful basis for doing so.</p> <p><b>Additional comments:</b> This is a complaint case, and the summary says it is 'resolved'. However, it is unclear what the resolution was, can we be informed of this please.</p>	<p><i>We are grateful for the detailed feedback from the panel on this case. We take note of the tone of the interaction by the officer with the member of the public and how this could be perceived by the public. It is suspected that an offence has taken place based on the items being carrying and the actions of the male. The officer spends time with the male in an attempt to verify his details which would negate the necessity to arrest, this process takes some time as a result of the information provided by the male before he then runs from the Police. Once the male is apprehended, the arrest and application of force is deemed to be appropriate.</i></p>
61	<p><b>Community Referral</b></p> <p>Officers were driving along a road when a vehicle has driven at speed towards them on the opposite side of the road. Officers have changed the direction of their vehicle to follow the direction of the suspect vehicle.</p>	<p><b>Positive Feedback:</b> Officers remained calm and polite throughout in very difficult circumstances. BWV 2/4 - officer took the detainee aside and managed to start a calm conversation with him. Although a taser warning was given, I was pleased to see that was short lived and did not escalate to its use.</p> <p><b>Negative feedback:</b> DP immediately aggressive and mouthy. In Vid1 officer says he is detained for a search but doesn't say why. Was this a missed opportunity to gain control and deescalate? The DP is angry that he has been stopped from entering his home. The other men from the car appear to be standing around peaceably. The only justification</p>	<p><i>The Panel are thanked for their feedback and observations in this case. This matter was reviewed, and learning acted upon by the Constabulary upon receipt of the complaint, and the panel's comments are very much in keeping with the issues identified, which demonstrates the importance of independent scrutiny. Thank you.</i></p>

Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
	<p>The vehicle has taken a left onto a Close that is a short Road to a dead end. The vehicle stopped at the end of the Close, and a male opened the rear passenger side door and got out. Shortly after, a black unknown male got out of the front passenger side door and a white male got out of front driver side. Officers walked over to the first male who instantly became aggressive towards officers. He was detained for a S23 search due to a strong smell of cannabis coming from the vehicle and the occupants. The male continued to be aggressive towards officers and was obstructive throughout. The male grabbed one of the officers wrist and thumb and twisted it. and punched the other officer in the face. A S23 search was conducted on the vehicle- no drugs were located.</p>	<p>for the Stop search was the smell of cannabis. The female officer 's approach has a good response from the DP.</p> <p>I thought that most of this could have been avoided if the officer handling had approached the DP in a different manner, he seemed to be over assertive initially, the officers demeanour was mirrored by the DP and things began to escalate. the officer then very early in the interaction started mentioning taser when no other de-escalation techniques had been attempted. the female officer saw this and attempted to intervene, and was initially successful to a certain extent, however the DP was again approached by the lead officer and things escalated. the whole episode could have been handled differently with I feel a significantly different outcome.</p>	

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62	<p><b>Community Referral</b></p> <p>DP has been identified as Controller of a Specific Drugs Line following a long and ongoing investigation. DP arrested and following arrest DP was searched under S32 where he informed the Officer he had a knife in his waistband. No resistance from DP. DP was compliant. No other items found on DP.</p>	<p><b>Positive Feedback:</b></p> <p>Calm approach took individual away from more public area to conduct search.</p> <p>Officer was excellent explained everything he was about to do.</p> <p>Arrest and handcuffing took place in public place (a cafeteria) with members of the public around, including children, but was done quickly and calmly and quietly; officers moved arrested person outside to a quieter area as soon as handcuffs were on and reason for arrest given.</p> <p>Very professional main officer, I thought he handled the entire episode extremely well, great search, very thorough and again very professionally carried out, great policing, well done.</p> <p>Police arrest and detention of the suspect was without incident, and a good example of policing. A knife was taken off the streets.</p> <p><b>Negative feedback:</b></p> <p>Very small point, but person kept asking politely what was meant by 'telecoms' as used by officer to explain evidence for arrest. No one clicked that he wanted to know just what the word meant, or at least the 'coms' bit, and didn't think to say it's short for 'telecommunication' meaning communication by phones, internet etc.</p> <p>They read him his Miranda rights but this did not cover the gowisely information.</p> <p><b>Additional comments:</b></p> <p>I didn't hear arresting officer give his ID details and station or offer of search record.</p> <p>Notes in the Case Summary Sheet say that there had been a 'long and ongoing investigation' regarding this person, so there was probably a record showing a good reason for this arrest and search.</p>	<p><i>We are grateful for the detailed and balanced feedback from the panel for this case. This is an excellent example of the proactive work that dedicated officers are taking to deal with those who are suspected of causing harm to our communities through the supply of controlled drugs. We thank the panel for the positive feedback and agree that the officers involved are professional, respectful and caring towards the male under arrest.</i></p>