

Independent Scrutiny of Police Powers Panel

CASE REVIEW REPORT

Panel Meeting 26th September 2024



Contents

Page 4 | Panel Overview

Page 5 | Summary of September Scrutiny

Page 6 | Chair Introduction

Page 7 | September Scrutiny Focus – Vehicle Stops

Page 7 | Panel Questions to the police

Page 9 | September Case Categories

Page 10 | September: Identified Themes

Page 11 | September Individual Case Reviews

Page 19 | Organisational Learning Tracker





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 Camera (BWC) 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 Panel is composed of 15 local people from a diverse range of backgrounds. The Panel started their work in June 2017 and meet quarterly, reviewing and scrutinising a sample of files and footage on the use of police powers.

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 BWC 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 individual 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 SEPTEMBER SCRUTINY



43 cases were scrutinised by the Panel



3 themes were identified



More than **40 hours** of BWC footage was viewed

WHAT THEMES DID WE IDENTIFY IN SEPTEMBER?

1. Vehicle Stops
2. The use of BodyWorn Camera (BWC)
3. The Racialised Harm of Strip Searches

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

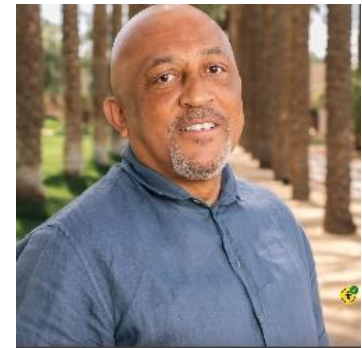
September case review comments can be found on page [11](#).

Ongoing organisational learning tracker can be found on page [19](#).



Chair Introduction

I would like to begin by expressing my gratitude to ISoPPP members for their patience and diligence in reviewing 43 cases and over 40 hours of body-worn camera (BWC) footage this month. I also want to thank the PCC office for attentively supporting ISoPPP members throughout the remote viewing process.



The use of BWC - or rather, the lack of usable footage - remains a persistent issue that ISoPPP continues to raise with Avon and Somerset Police (ASP). Many of the BWCs we review are switched on late, switched off early, or obscured, rendering them unusable. BWC footage serves as the primary conduit for ISoPPP to fulfil its role in public oversight, building public trust through transparency. High-quality BWC footage is also essential to protect officers from unfounded allegations of misconduct, and we urge ASP to urgently adopt best practices in the use of BWC.

At our recent panel meeting, members received pre-reads of a new stop-and-search insight report, along with a presentation by Chief Inspector Vicks Hayward-Melen on the topic of Exposure of Intimate Parts (EIP) from the report. The panel eagerly anticipates an urgent, detailed response to issues raised in the report, including disproportionate stops of Black individuals, safeguarding around child EIPs, and stop-and-search practices related to so-called “super users.”

The September panel meeting focused on vehicle stops, with Inspector Derrick, the force lead on vehicle stops, joining us to discuss ongoing issues with the recording of vehicle stops. We were able to explore these issues in depth, as outlined below.

As we near the end of 2024 and look forward to ISoPPP's eighth anniversary in 2025, I would like to thank ASP for their willingness to engage transparently by sharing information and responding thoughtfully to our observations. We have been pleased to commend officers who demonstrated courage and empathy in their interactions with the public, particularly those who successfully de-escalated situations. As a critical friend, we have occasionally made observations that may be uncomfortable for ASP, but I am pleased to report that our scrutiny - whether critical or commendatory - has been consistently received and addressed.



SEPTEMBER SCRUTINY FOCUS

VEHICLE STOPS

What is a Vehicle Stop?

Communities are not always able to differentiate between a Vehicle Stop and a Vehicle Stop and Search. It is important to understand the difference between the two.

A Vehicle Stop and Search is where an Officer has grounds and reasons to stop the person and/or vehicle for a specific reason, based on grounds and suspicion. Some examples might be:

- Section 1 of the Police and Criminal Evidence Act 1984 (stolen/prohibited- offensive weapon or adapted article/fireworks/items for criminal damage)
- Section 23 Misuse of Drugs Act 1971

A Vehicle Stop is very different to a vehicle Stop and Search. A Vehicle Stop is covered by either Section 163 or 164 of the Road Traffic Act 1988.

Section 163 allows an officer in uniform to stop any vehicle (Mechanically Propelled Vehicle) or bicycle on a road, so this would include electric bicycles and scooters - that's it. No other grounds or reason are required. Just a vehicle being on a road is enough. It is an offence not to stop for Police.

Section 164 then gives officers the power to request the driver's driving licence. It is an offence not to produce this, but there is an allowance for driver's to be able to produce their documents within 7 days.

Why is this being looked at by the Constabulary now?

Vehicle Stops appear to be disproportionate from the data currently held (from December 2021 to current day) within the Constabulary.

What has come to light, is that they are not being recorded correctly. The police are still stopping a lot more vehicles than are recorded and so the data is not accurate. This problem needs to be addressed first before the data can be analysed and look at who is being stopped and why.

Avon and Somerset Constabulary's Force Tactical Lead for Vehicle Stops is currently working on increasing compliance in this area. Although recording Vehicle Stops are not mandated by the Home Office, the Constabulary want to make recording them non-negotiable and a performance measure moving forward.

Overview of Results Presented to Panel

Since December 2021, the total vehicles stopped are 15,035 and total people are 22,879. Currently, there are generally around 200 – 300 vehicles stops per month so far this year. Some of the statistics that have been recognised are that an Asian person is 2.64 times more likely to be stopped than a white person and a Black person is 3.97 times more likely to be stopped than a white person.

Since having a Tactical Lead in this area and sending communications force-wide, the number of forms being completed each month has increased from 200-300 to 500. Whilst this is a



noteworthy increase, work is continuing to improve this data set which will then assist in establishing any issues with disproportionality in certain areas.

Data

At this time, the data is being collected and transferred into a Qlik page. (Qlik is a system used by the Constabulary to collect and analyse data across the force for various areas of business). The Vehicle Stop Tactical Lead Inspector has been asked to return to the Panel at a later date to present the findings around Vehicle Stops across the Avon and Somerset area.

Panel Scrutiny/Questions at Panel Meeting

Panel Question:

What is the difference between compliance and how does this compare to other forms of data?

Police Response:

As an operational Inspector I am very aware of roughly how many vehicles get stopped by officers and the number we record don't match up with those stopped. Since I began working on this, encouraging better recording, the figures doubled. We were stopping around 250 vehicles a month and now it's over 500. There is no other form of data we can compare it with at this time. There is no legal requirement to complete a vehicle stop at the moment, but the Home Office may mandate this at some point.

Panel Comment:

I feel this is what we see across lots of things, and it takes time and if it isn't a statutory law, we could be sitting here, and we do not want it to be disproportionate.

Police Response:

As full compliance of vehicle stops is not there yet, the data is not completely reliable, however there is a good indication that vehicle stops are disproportionate and that is the message going out to officers.

Panel Question:

If you accept then that it is disproportionate, in terms of management response, why can there not be a response to this? It seems strange to hand this back to officers individually all on the basis of the data that you got. You say you will address it when you have the full data set.

Police Response:

Our data is not intelligent enough at the moment and so does not allow us to identify and analyse individual officers but is still enough to raise awareness with officers and management now. However, once the data does capture individual officers' performance in this area, we can start to address performance properly. This could be anything from learning, under performance or misconduct/gross misconduct.



Panel Comment:

Vehicles stop search should be captured (on BWV).

Police Response:

Yes, this is something that we are also working on and will match our stop search BWV policy.

Panel Comment:

This is why the constabulary wanted to do the 163 stops, but they are now doing the 164 stops. Some members of the community feel like they are being stopped and searched due to reasons such as brake lights being out. There was an understanding it could be a way of disproportionality coming in, I think this is a positive thing we are doing. PCC Clare Moody should lobby this more nationally as there are only a few constabularies that do this.

SEPTEMBER CASE CATEGORIES

Each quarter, the Panel will identify a number of case categories for scrutiny focus at the meeting. A full list of cases that fall under each category type are then requested from the police.

The following categories were selected for scrutiny. The Panel then selected, reviewed, and scrutinised 43 random cases against these categories:

Use of Force

1. Compliant Handcuffing of members of the public during a stop and search by race and gender
2. The use of taser on BME members of the community
3. Any use of force on females under 18 years of age with race as an overview
4. The use of baton or PAVA on members of the public over the age of 18, including race and gender overview
5. Any Section 136 powers used
6. Use of force in an *EIP search
7. Complaints by a member of the public against police relating to use of force by police.

Stop and Search

1. Effected because of a suspicion of use/smell of cannabis as the only ground
2. Complaints by a member of the public against police relating to Stop and Search
3. EIP searches for all ages of persons
4. Effected after a S163** vehicle stop by officers with grounds
5. Ethnicity and grounds for moderate-high repeated searches.

*EIP = Exposure of Intimate parts, formally Strip Search

**[Road Traffic Act 1988 \(legislation.gov.uk\)](https://www.legislation.gov.uk)



September: Identified Themes

Each Panel meeting will generate healthy and thought-provoking discussion around the use of police powers and give the Panel an opportunity to raise concerns and questions to the police. 3 key themes were highlighted as part of September's meeting, and they were as follows:

- ✚ Vehicle Stops (detail documented above)
- ✚ The use of BodyWorn Camera (BWC)
- ✚ Exposure of Intimate Parts (EIP) Searches (*formally referred to as Strip Searches*)

BWC: Concerns have been raised over the last couple of quarters around officers reverting into switching their BWC on late and not recording the end/conclusion of interactions with detained individuals.

Police Response: *The newly BWV force policy covers that all users must have pre-record active when deployed with BWVC's. This means that compliance of capturing all interactions with the public are maximised.*

We are also looking at a replacement camera with the project team in the coming couple of years and the preferred model will have the pre-record function permanently turned on – the user will not be able to deactivate it like the current model.

A more detailed update is contained within the Organisational Learning Tracker section of this report.

EIP Searches: Following on from June's Panel meeting discussion around EIP searches, Avon and Somerset Constabulary (ASC) completed some deep dive analysis around this subject.

The work was commissioned towards the start of the year with the intention to commission a Root Cause Analysis of institutional racism within Stop Search. However, providing meaningful explanations for the root cause of racism within police practices was beyond the scope of this single project. And, due to the nature and status of the data analysed, the report is better described as a deep dive of data held on police systems relating to stop search records.

The main aspect to focus on to take feedback is the fact that in the analysis there was over seven years of data. It was found that the force was disproportionately conducting EIP searches. EIP searches for black children are disproportionate, you are 2x more likely to be striped searched if you are a black boy or man. By context and comparison, the general disproportionality rate is around 6 and a half more likely to be searched if you are black rather than if you are white. The necessary attention is being put on it. This is the current position in ASC.

Panel Member Question: *Over the 6 years, has the trend worsened?*

Police Response: No, there was a peak in around 2021/2022. Stop and search processes are not consistent with where we are now but it still not where we need it to be.

Panel Member Question: *This panel has been going on for 7 years, so this questions how effective we have been with getting the message across and how effective we are for the future.*

Police Response: To ISOPPP's credit, you have picked up thorny issues and you have promoted changes. I personally would not lay this at ISOPPP's fault. We should have spotted this sooner where we were not listening, we are now listening. We understand we rely a lot on community members who are fatigued at feeling like they have to raise issues rather than us being intuitive and are grateful for their continued commitment to doing so. I would love for this to be the work going forward and for reporting back on it. We would have done that inward looking scanning.

Recommendations were made at the end of the Deep Dive analysis report. The recommendations are with the Race Matters Assistant Chief Constable now. The consideration and adopting of them are being considered.



Cont....

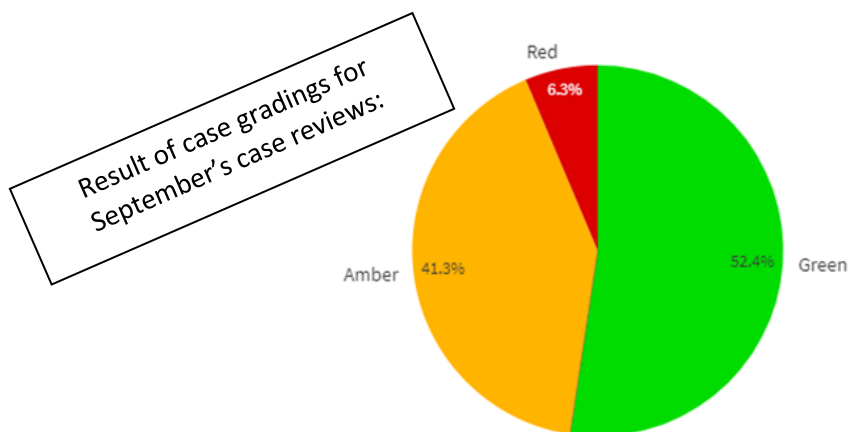
We have so many recommendations from different things. We have recommendations from HMIC and additional parts from wanting to give proper closure to stuff that already exists. How we adopt them will be for ACC Will White to consider.

A host of recommendations have come out regarding the recent children’s commissioners report. The work that has been done to address this was built into the new stop and search policy. For children, we have had these processes in place since 2022 and these have been codified into a policy. AA will remain during a search; it is mandated that they are only there should the child wish them to remain. Inspectors’ approval required for a child. The force lead for stop and search would review EIP searches for children every month. We need to overlay this so this covers the EIP searches, and these must now be covered by Sergeant and approved/authority. Force lead will review searches for black men under the age of 35. Unless you have specific information to the contrary, you treat someone as a child.

The Panel are looking to review and discuss the Deep Dive Analysis Report at the next Panel meeting in December.

SEPTEMBER INDIVIDUAL CASE REVIEWS

Each quarter the Panel will review between 40 and 60 cases. These cases are graded using a RAG rating system (Red, Amber, Green) and will highlight areas of concern (that require addressing) and cases whereby good practice has been recognised.



For each Panel meeting, several of the reviewed cases (up to 20) are selected and scrutinised during the meeting. September's meeting had 14 case reviews for discussion:



Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
46.	<p>UoF - S136 powers used</p> <p>Police called to a male refusing to leave a premise. Male appeared high on something. Male is very distressed.</p> <p>Officers attended - formed the opinion that 136 MHA detention was required, query ABD. During detention officers attempted handcuff, met resistance which led to PAVA use.</p>	<p>2x Views: 2 Red, 0Amber, 0 Green</p> <p>Positive:</p> <ul style="list-style-type: none"> - At some point towards the end they are trying to calm male down in recognition of his distress which shows they were empathising with him. <p>Concerns:</p> <ul style="list-style-type: none"> - The officers appeared to make a split decision even though the suspect started hyperventilating as if he was having a panic attack and the appearance of the paramedics raises concern as to whether the use of force was appropriate. - The real issue here for me was that the initial contact and subsequent actions of the two officers escalated something that " may" have had a very different outcome if handled with more calmness understanding and perhaps even a little kindness. - The video was a bit obscured, however the force applied appeared to be excessive as he seemed to be quite distressed. - The initial responders made no attempt to talk to this man at all. and calm him down. <p>Other Comments:</p> <p>Were there any other options of restraint from the point in which they approached him - which could have reduced his distress?</p>	<p><i>We are grateful for the comment from the panel and recognise the concern raised. On this occasion, regrettably, the panel were not supplied the footage from the officers who first attended the scene. We would like to reassure the panel, that this footage shows that officers did spend time calmly and professionally talking to the male before they formed the opinion that they needed to restrain him. This footage can be made available for further review if required.</i></p>
9.	<p>S&S - on males who identify as Black that have been stopped more than 3 times in the last 12 months.</p> <p>Male was already under arrest as circulated as Wanted on PNC. Whilst this was being confirmed, there was recent intelligence that the male was carrying a weapon. GOWISELY given.</p>	<p>3x Views: 0 Red, 1 Amber, 2 Green</p> <p>Positive:</p> <ul style="list-style-type: none"> - Officer was engaging and polite, great example of procedural fairness. - Things explained very clearly. - Officer managed expectations well making it clear there was the possibility of arrest whilst being pragmatic in trying to avoid it if PNC info was dated. <p>Concerns:</p> <ul style="list-style-type: none"> - A stop prompted by PNC info which turned out to be old and no longer applicable. Delays in updating system seem to result in unnecessary stops that waste resource and must be aggravating for the person. <p>Other Comments:</p> <ul style="list-style-type: none"> - Yes, to further review to draw attention to the point regarding PNC. 	<p><i>The Constabulary thanks the panel for its comments in this case. The feedback relating to the PNC marker has been provided to the officer involved. This stop pre-dated the introduction of the new stop and search policy, but of note - the grounds would not be sufficient under the new policy which requires officers to articulate at least three objective factors leading to the formation of their grounds.</i></p>



Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
10.	<p>Stop Search.</p> <p>Grounds - Vehicle has failed to stop for officers. Driver was heard 'bragging' about being high on Cannabis and Cocaine and ran from police. 2 passengers in vehicle detained under S.23 for drugs search based on being in vehicle in suspicious circumstances (failing to stop and dangerous driving at 5am) and being in vehicle with male claiming to be on drugs who ran from police. GOWISELY explained to 2 of the suspects.</p> <p>Second video; shows arrest of the 3rd suspect. Grounds for vehicle search given and GOWISELY completed.</p>	<p>2x Views: 0 Red, 0 Amber, 2 Green</p> <p>Positive:</p> <ul style="list-style-type: none"> - Officer involved incredibly thorough. - Officer professional and courteous throughout - Excellent example of good practice. - Officer should be noted for his professionalism during the whole process. 	<p><i>The panel's feedback is noted with thanks in this case. It is pleasing to hear the feedback for the officer, and we will make sure this is shared. On review of the BWV during the panel meeting, it transpired that the officer conducted a strip search of the male on his own. Whilst BWV was turned on throughout, the new policy states an EIP (exposure of intimate parts - new name for strip search) should take place with two officers of the same sex as the person being searched. This search pre-dated the introduction of the new policy and this practice should not be seen in future searches.</i></p>



Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
37.	<p>UoF – Baton/PAVA.</p> <p>Suspect attended friend's ex-partners address, climbing through the window, demanding the dog or that he would kill her. Suspect driven off. vehicle stopped by officers - 4 persons within. suspect has then assaulted officer by grabbing arms and pushing him, whilst making further threats to bite his face off. This is when the PAVA and baton were used.</p>	<p>1x View: 1 Red, 0 Amber, 0 Green</p> <p>Positive:</p> <ul style="list-style-type: none"> - Female officer cuffed to the older male played a significant part in calming the individual and was impressive. -When situation calm, officers took care to explain patiently why the group were detained. <p>Concerns:</p> <ul style="list-style-type: none"> - One overzealous officer who set the tone with his first approach. - Ineffectiveness of repeatedly telling the individual to calm down (36 times - 18 shouted). - Male didn't put hands on until officer pushed him. <p>Other Comments:</p> <ul style="list-style-type: none"> - It felt like a decision could have been taken sooner to work out what resource was needed for transportation and avoid deploying as many units, or at least standing them down sooner. - Revisit the very common practice of telling people in a seriously heightened state to calm down,' often shouted. It has the opposite effect and would benefit from review. - Individual feedback to officer who potentially escalated the situation by acting before explaining and continued to react more forcibly than colleagues. 	<p><i>We would like to thank the panel for the balanced feedback in relation to this case. We have reflected on the incident and worked with the officers involved to share learning. We would like to highlight that this was a positive example of proactivity in relation to our focus on pursuing suspects, furthermore, this incident took place in an isolated area of the force and the subject involved was highly volatile, this would have contributed to why multiple officers attended from different locations to support those at the scene.</i></p>
13.	<p>Vehicle S&S.</p> <p>4 males being searched as vehicle stop due to damage to the front. Stop searched due to smell of drugs s23. GOWISELY given to all 4.</p>	<p>1x Views: 0 Red, 1 Amber, 0 Green</p> <p>Positive:</p> <ul style="list-style-type: none"> - Officers polite and professional trying to put DPs at ease. <p>Concerns:</p> <ul style="list-style-type: none"> - Concerns over this vehicle being stopped - I believe it was, as damage to front of vehicle seems OTT . These were 4 non white males in a BMW and I wonder if this impacted on decision to stop the car. - It was only when car was stopped that they smelled cannabis and did S&S. Don't really understand why the car was stopped. 	<p><i>The panel's observations and feedback are noted, with thanks. The vehicle stopped of its own accord, rather than the officers asking for it to stop using s.163 Road Traffic Act. Whilst accepting the observations regarding the damage being the reason for the stop, it is felt by the Constabulary that this was a reasonable use of powers, to understand how the damage had occurred, how recent it was, whilst couldn't easily be ascertained from an initial look from officers driving past.</i></p>
34.	<p>UoF - Females U18.</p> <p>Two juveniles detained under Police Protection.</p>	<p>2x Views: 0 Red, 1 Amber, 1 Green</p> <p>(second review requested by Panel member)</p> <p>Concerns:</p>	<p><i>The Constabulary are grateful for the feedback in this case. Incidents such as this can be challenging to deal with for the Police</i></p>



Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
	First is located near a busy road and ran into busy road, officers handcuffed DP and placed into a police car.	<p>- Handcuffing a 13-yr old on a PPO seems excessive no attempt to de-escalate just kept asking 'shall I handcuff you?'</p> <p>Other Comments:</p> <p>- Minimal conversation or explanation other than on a PPO - no advice re de handcuffing if cooperative etc.</p> <p>- Communication on Young person training on dealing with challenging children? No crime so why handcuffs?</p>	<p><i>as many vulnerable young people do not wish to return to the places that they have gone missing from. There were some environmental factors present in terms of being on a road, however, we have shared learning with the Officers involved to ensure that our approach is compassionate and trauma informed.</i></p>
6.	<p>S&S - on males who identify as Black that have been stopped more than 3 times in the last 12 months.</p> <p>Male seen to approach known drug users and an exchange of an unknown object was made. GOWISELY given, large quantity of money found but nothing else.</p>	<p>3x Views: 0 Red, 1 Amber, 2 Green</p> <p>Positive:</p> <p>- Officer gave clear reasons for S&S.</p> <p>- Did not push for name which was good to see.</p> <p>Concerns:</p> <p>- officer was heightened while subject was passive and compliant, no disengagement opportunity missed.</p>	<p><i>The Constabulary thanks the panel for its feedback in this case, which will be fed back to the officer involved.</i></p>
6.	<p>S.60 S&S.</p> <p>S.60 S&S's conducted in Bristol at the start of June due to a rise in knife crime amongst youths in the area.</p>	<p>2x Views: 1 Red, 0 Amber, 1 Green</p> <p>Positive:</p> <p>- Search reasonable in context of S.60 at the time.</p> <p>- Good to see that the officer did not attempt to obtain name or other personal details. The 2nd officer who arrived on scene later and stood aside did say a bit more about S60 and tried to soften the exchange (but tone was already set).</p> <p>Concerns:</p> <p>- The handling of this case was markedly different from cases 7, 8, 9 handled by other officers at the same S60 stop and search. S60 was not well explained, and the officer displayed mistrust from the outset. Handcuffs used without due cause and any response individual gave seemed to be discredited, (e.g. asked twice if any pockets in hoodie under coat - officer disregarded both responses of no and said twice he would double check) Why ask the question if you don't intend</p>	<p><i>The Constabulary notes the feedback from the panel in this case and will ensure to feedback to the officer in addition to the case above, which relates to the same officer.</i></p>



Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
		<p>to respect the answer?) - showed further mistrust which was frustrating to witness and will have no doubt left individual feeling aggrieved. No attempt to acknowledge cooperation or give thanks. Was originally walking the male to join others for a collective explanation of stop - not clear why he changed tack and went for 1:1 as it made for inconsistency in handling and marred an otherwise well managed stop search of a group.</p> <p>Other Comments: - Cases 7 and 9 of same stop search provide an exemplary example and offer sharp contrast to case 6. The contrast could be a useful training aide showing the different experiences detainees had and the impact on community views of police and the application of S60.</p>	
19.	<p>S&S - Smell of cannabis.</p> <p>Officers have been driving around smelling cannabis, seen a male smoking something. Detained under s23 MDA to check for drugs. GOWISELY given.</p>	<p>3x Views: 0 Red, 2 Amber, 1 Green</p> <p>Positive: - Officers professional and courteous. - Calm approach, good communication and details of reason and search.</p> <p>Concerns: - Didn't feel there were enough grounds to stop the DP.</p> <p>Other Comments: - No other grounds for the search other than cannabis - when does the new S&S come into effect?</p>	<p><i>The panel's comments are noted, with thanks. The new policy came into effect at the start of June 2024 so would have been in place at the time of this case. The officer's grounds would be reasonable under the new policy - which has stated that the smell of cannabis alone is not sufficient for search and all searches need at least three objective criteria to be reasonable. The three criteria in this case being, the smell of cannabis, the man being the only person in the area and being seen to be smoking something, including the 'puff of smoke' as officers drove past. Whilst the panel's comments are accepted gratefully, it is felt that there were sufficient grounds for search in this case.</i></p>
29.	<p>UoF - Taser on BME members of community.</p> <p>DP is alleged to have hit the victim with a stick, causing ABH level injuries.</p>	<p>3x Views: 0 Red, 1 Amber, 1 Green</p> <p>Positive: - The BWV video shows exemplary conduct by the officer in terms of the UOF - good comms on the taser and making the suspect comfortable in his handcuffs. Also, very good comms with neighbours. I was pleased that he turned his BWV on before he left the car so we can see a complete picture of the arrest. - The officer was calm, polite and efficient throughout. He answered the subject's questions and responded to comments with courtesy, and explained what was happening. This all gave an air of control and authority which worked well at keeping the situation calm, and he was friendly</p>	<p><i>The Constabulary are thankful for the comments from the panel in relation to this case. The officer has demonstrated effective use of BWV and also demonstrated good levels of communication and tactics. We would like to reassure the panel that the comments about the alleged sexual offence</i></p>



Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
		<p>without being unprofessional. The whole incident was handled well.</p> <p>Concerns:</p> <ul style="list-style-type: none"> - The comment about the rape being disbelieved is concerning. - Maybe best not to use the phrase 'he's a lump' when speaking to other officers and describing the subject's physical size and strength. 	<p><i>were dealt with at the time of the officers attending and safeguarding was put in place.</i></p>
15.	<p>S&S - Smell of cannabis.</p> <p>Vehicle stop leading to searches of the four occupants and vehicle. Grounds given as - smell of cannabis, admission that people have smoked cannabis and information report linked to vehicle.</p>	<p>1x View: 1 Red, 0 Amber, 0 Green</p> <p>Positive:</p> <ul style="list-style-type: none"> - Officers were calm and clear in their communications - both thanking the DPs for their co-operation. - Practice of saying 'how would you define your ethnicity - 'I would describe mine as seems like a new practice seen in a couple of recent cases and is an effective one <p>Concerns:</p> <ul style="list-style-type: none"> - Reasons given for stop - 1. Quick document check made no ref to intel on vehicle until after decision to search under S23 due to smell of cannabis. I would appreciate a steer on whether S163 allows a vehicle stop simply for document check with no other reason, and when S167 can apply regarding driving license. <p>Other Comments:</p> <ul style="list-style-type: none"> - It would be helpful as a relative newcomer to the panel to have a better appreciation of legal processes around vehicle stops. 	<p><i>The Constabulary is grateful to the panel for their comments in this case. The officers are able to request a vehicle to stop under s.163 of the Road Traffic Act, with the power to request driving licence and insurance under s.164 and s.165 of the same act. s.163 does not need an officer to provide a reason for the stop. This search predated the new stop search policy - therefore the expectations regarding the use of intelligence in stop and search were not the same. If this stop were to happen now, the officer would be expected to explain how recent the intelligence was and how it caused them to form grounds for their search.</i></p>
7.	<p>S&S - on males who identify as Black that have been stopped more than 3 times in the last 12 months.</p> <p>Vehicle seen stationary on the street and occupants spoken to by officers.</p>	<p>2x Views: 0 Red, 2 Amber, 0 Green</p> <p>Positive:</p> <ul style="list-style-type: none"> - Officer dealing with main DP on BWV was very calm and courteous throughout, as were all officers. - The officer in charge of the young person treated him with respect and kept the tone and manner calm throughout. <p>Concerns:</p> <ul style="list-style-type: none"> - Was it necessary for handcuffing of a complaint young person. 	<p><i>The panel's feedback in this case is noted, thank you. On review it appears the young person was handcuffed after the stop search, when the officer arrested them based on what was found during the stop search. The officer would need to explain why upon arrest he felt handcuffs were necessary to prevent harm or escape.</i></p>



Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
	<p>GOWISELY given by another officer present to the five persons present. Searching officer did not provide his details and station.</p>		
4.	<p>Strip Search (EIP) U17.</p> <p>A vehicle was seen by police being driven by an adult with 3 passengers, all young people who were concealing their faces. The vehicle was stopped and 2 ran from it and were detained following a foot chase. While 2 were detained at the scene. All were searched. young person under 17 was found in possession of cannabis, a mobile phone and cash. All 4 were later strip searched, the young persons at the home address with family acting as AA.</p>	<p>2x Views: 0 Red, 1 Amber, 1 Green</p> <p>Positive:</p> <ul style="list-style-type: none"> - Officers were calm, courteous and respectful through the encounter. They kept the subject informed of what was happening throughout. When they arrived at the subject's home, the officer was kind, friendly and professional when explaining the situation to the mother, and empathetic to the mother's situation when she spoke of the stress she was under. - Good exchange with the DP and his mother when they took him home for the EIP. The PO was respectful and empathetic. <p>Concerns:</p> <ul style="list-style-type: none"> - BWV on late and off early. - The DP was compliant right from the start when the police put hands on and told him he was going to be searched. This appeared to be inappropriate compliant handcuffing. 	<p><i>The Constabulary thanks the panel for their feedback in this case, which will be fed back to the officer involved.</i></p>



Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
40.	<p>UoF - Baton/PAVA.</p> <p>Hotel staff called police to report a male in NCP car park smashing a door with a bat.; suspect located by 2 officers. Arrested and began to resist. officers and suspect on stairway. Suspect pinned down officer, PAVA deployed.</p>	<p>2x Views: 0 Red, 1 Amber, 1 Green</p> <p>Positive: - Good after care offered to the DP after PAVA, good use of respectful language to him. Good teamwork by the 3 officers who arrested him.</p> <p>Concerns: - From this video footage, it seems as if most of the GOWISELY items were omitted, although grounds for arrest may have been spoken after the subject had been taken down the car park steps and so not on this officer's BWV. It could therefore benefit from a second review.</p>	<p><i>We are thankful for the positive comments from the panel regarding this case. The officers have worked well together to achieve the aim of safely arresting the subject. They have displayed professionalism and compassion towards an aggressive subject in challenging circumstances. This was not a stop and search incident and therefore there was no requirement for GOWISELY.</i></p>

ORGANISATIONAL LEARNING TRACKER

Since September 2021, as part of their ongoing work to scrutinise policing, 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. To date, there have been 13 key areas of focus that have been flagged to the Avon and Somerset Constabulary.

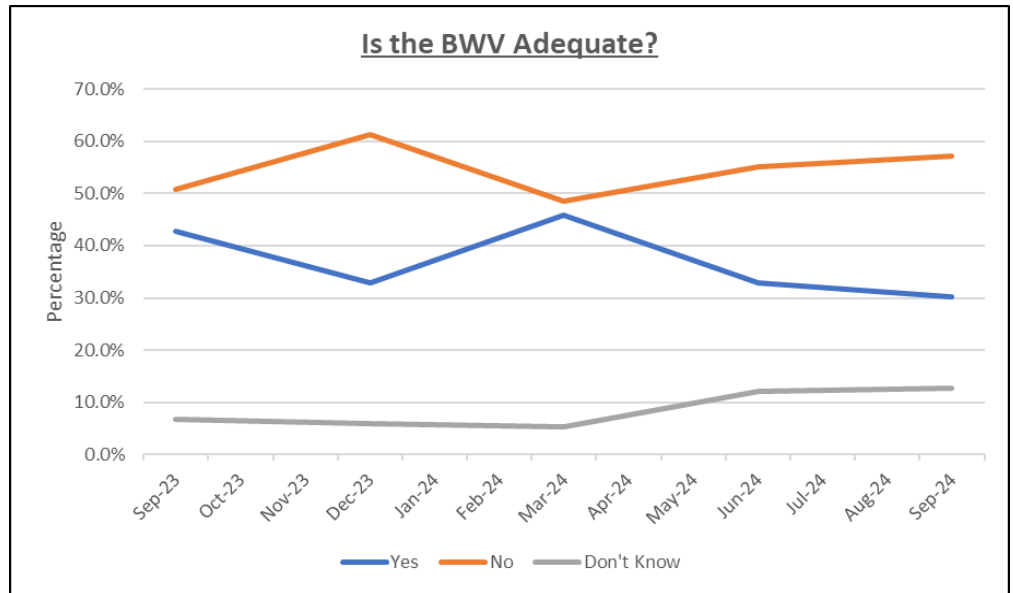


6 of these areas have been satisfactorily concluded. Below are the current organisational learning areas that are being tracked and monitored. The police have provided updates to the below outstanding areas of concern:



Dec 21 – Sept 24:
BWV switched on late, obscured, inadequate or not saved as evidential.

This has been an area of concern for some time, highlighted by the Panel. Data from the last 2 quarters shows a decrease in the adequacy of footage. A new BWV policy has been developed, albeit the level of engagement with the new policy cannot be measured. This area will continue to be monitored, and feedback given to the police on improving the use.



UPDATE FROM ASP:

Unfortunately, we are unlikely to see significant change until the issuing of new cameras. The current contract is not up until 2026, so not likely to be a considerable change until then. This will be a huge project to replace around 4000 units which is already in motion. There are a couple of hundred cameras coming up to their expired warranty, therefore the plan is to replace with a batch of new cameras which will be issued to all officers working from the main Bristol station (Base 2). This will provide compliance in the short term for our Bristol based officers.

Dec 21 – Sept 24:

Standard practice handcuffing a compliant person at a Stop and Search.

This is another area that has been kept in view since December 2021. It was established at the June Panel meeting, that Nationally, there is no definition for the term *compliant handcuffing*. Work has been ongoing for some time around the use of handcuffs and a task and finish group was set up to look into this area of business, specifically in relation to Stop and Search. Therefore, an update is required in relation to any outcomes so far in this area of business, and what is the current picture/ongoing work around compliant handcuffing?

UPDATE FROM ASP:

This work remains ongoing, and we are currently understanding how this fits into the national picture to ensure that any potential changes would align to prevent any conflict. There are no specific outcomes at this time.

Stakeholders from multiple departments are meeting to discuss the challenges with compliant handcuffing and the impact that it has on the community. It is important that the current ways of working are fully understood to draw out any root causes which can be addressed. Our data has also highlighted a specific cohort of officers within Bristol who may handcuff more frequently than others, therefore, we have commissioned a specific focus on this area also.

Lastly, we are reviewing other data that we possess in relation to arrests and our internal peer review findings to work towards sustainable change in this area.



The following 5 areas that have been continually monitored all now fall under the new Stop and Search Policy that is being rolled out across Avon and Somerset:

- **Lack of consistency about explaining the availability of a stop search receipt and how the person searched can access it.**
- ASP response from last quarter: *Avon and Somerset have recently launched a new stop and search receipt, and all officers have been issued a replacement receipt pad to replace the old pads. The in-person stop search training over the next six months specifically includes a section about the offering of receipts and making sure all officers know about the new receipt pads, including the QR code that people can scan to give feedback that we have introduced. Reviewing if a receipt has been offered or not will form part of the refreshed supervisor oversight, which is also included in the training.*

- **The smell of cannabis alone does not provide grounds for a Stop search.**
- ASP response from last quarter: *Section 7.11 of the new stop and search policy specifically refers to the smell of cannabis as grounds for search. Excerpt below:*
7.11.1
Smell of cannabis alone cannot be used to form reasonable grounds for suspicion to stop and search.
7.11.2
The presence of a smell of cannabis, whilst easily recognisable, does not give an indication on whether the person has just been around others smoking the substance or if they themselves are in possession of it. It is not sufficient on its own to provide reasonable grounds for search.
This is reiterated in person as part of the stop search in-person training delivered by the force lead for stop and search.

- **At a strip search BWV on audio only should be activated.**
- ASP response from last quarter: *Section 7.24 of the new stop search policy specifically refers to the use of BWV in EIP searches. Excerpt below:*
Officers must keep their BWV recording throughout the search but ensure the lens is pointed to the ceiling, so as not to capture any video of the person being searched exposing themselves but record all audio.
This is reiterated in person as part of the stop search in-person training delivered by the force lead for stop and search.

- **Lack of adequacy of grounds for a stop search.**
- ASP response from last quarter: *Grounds for search are covered in detail in the new stop and search policy – expectations relating to the forming of grounds and the importance of explaining them well, both in person and on the recording on Niche. A large portion of the in-person training is dedicated to effective grounds and will be reviewed by supervisors in detail going forward to ensure quality is maintained.*

- **It was felt that the officer persisted in asking the DP for their details after they declined to give them (SS).**
- ASP response from last quarter: *This is detailed explicitly in the new stop and search policy and expectations of officers made clear in the in-person training. The difference between persistence and making a request as part of policing practice is made clear by the stop and search lead delivering the training.*



Regarding the above, the following questions were asked to the police:

- **How are the receipts being monitored? Are they being monitored?**
ASP Response: *The provision of receipts should be checked by first line supervisors when reviewing stop searches. It is recorded on Niche when a receipt has been provided. It is made clear to officers in the stop search training the expectation relating to receipts. Monitoring should be taking place on a team level at this time, with wider organisational focus currently being on performance relating to safeguarding (BRAG completion and EIP searches).*
- **Has the QR code been utilised, and any feedback received? How is this being managed?**
ASP Response: *At this time, it does not appear as though the QR code has been used to provide feedback following a stop search. We will look at ways in which we can promote it to ensure people have the opportunity to provide feedback on the use of stop search powers on them. Any feedback submitted through the form will come back directly to the force stop search lead.*
- **Has all the SS training been delivered (or when is it due to be completed)?**
ASP Response: *Over 900 officers have been trained so far, with another 200 due to be trained in November. We are in the process of adding extra sessions to ensure all frontline officers, Sgts and Inspectors have received the training.*
- **How are ASP ensuring the implementation of the new policy (any check and test methods)?**
ASP Response: *We are building stop and search measures into regular reporting and governance structures, which provides visibility and assurance across all directorates, with chief officer oversight. Scrutiny, including that of ISoPPP continues to be critical in providing qualitative insight into the use of stop and search, and will remain a key method of check and test.*
- **Is there any refresher training required down the line?**
ASP Response: *At this time there are no plans for refresher training, however the yearly online CPD will continue, and we are working with colleagues in Operational Training to ensure that key messages and lessons are fed into year officer safety refresher training and other mandatory training, such as public order refreshers.*
- **When should the Panel start noticing a difference because of the new policy?**
ASP Response: *By November 2024 over half of the officers required to have the mandatory training will have received it. Therefore, from the December ISoPPP meeting onwards, the impact of the training should be being seen by the panel.*

These items shall remain on the Organisational Learning Tracker and be regularly reviewed, particularly moving forward, monitored against the new Stop and Search Policy.



Further information about the Independent Scrutiny of Police Powers Panel (ISoPPP)

Further information about the ISoPPP can be viewed through the following link:

[Independent Scrutiny of Police Powers Panel | OPCC for Avon and Somerset \(avonandsomerset-pcc.gov.uk\)](https://www.avonandsomerset-pcc.gov.uk)

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