

Independent Scrutiny of Police Powers Panel

CASE REVIEW REPORT

Panel Meeting 13th December 2024



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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 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 13 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 DECEMBER SCRUTINY



52 cases were scrutinised by the Panel



3 themes were identified



More than **60 hours** of BWC footage was viewed

WHAT THEMES DID WE IDENTIFY IN DECEMBER?

1. The use of BodyWorn Camera (BWC)
2. Officers requesting to look at mobile phones as part of a Stop Search
3. De-escalation – the constant repeating of telling detained persons to ‘*calm down*’

More details about the above themes are to be found at page [9](#).

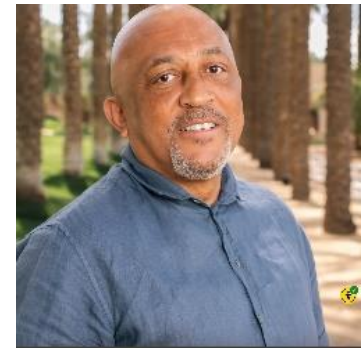
December case review comments can be found on page [11](#).

Ongoing organisational learning tracker can be found on page [20](#).



Chair Introduction

A huge thank you to ISoPPP members for their continued commitment to holding the Avon and Somerset Constabulary (ASC) accountable. Through the panel's work as a critical friend to the constabulary, 52 cases have been reviewed, along with over 60 hours of body-worn camera (BWC) footage.



The use of body-worn video (BWV) is a key method by which ISoPPP scrutinises ASC. However, the quality of BWV footage has been a consistent issue over the last two years. The latest response from ASC, addressing concerns about BWV footage being switched on late, ended early, obscured, or not available, has raised concerns among panel members. This response seems to suggest that the issue lies with the cameras themselves rather than how officers are using them.

When ISoPPP first started, BWV usage was at 25%. Within the first two years, this increased to 92%, thanks to the efforts of ISoPPP and the leadership of senior ASC members. At that time, ISoPPP saw significant improvements in the narrative presented by police officers as they arrived at incidents. The increased use of BWV not only supported scrutiny but also helped protect officers from spurious claims.

Furthermore, the practice of searching phones during stop and search was believed to have been paused across the constabulary. However, in our most recent batch of BWV footage, it was clear that some policing teams were still conducting phone searches as part of their routine stop and search procedures. We will be seeking an update from ASC on why this practice is still occurring.

As we enter our eighth year of independent police power scrutiny, I have asked panel member Jenny Staples to lead a team to conduct a thorough review of ISoPPP's practices and processes. This review will include examining national best practices for police scrutiny to ensure that we continue to deliver the best outcomes for our communities.



DECEMBER SCRUTINY

The difference between types of Stop and Search:

○ **S.1 Police and Criminal Evidence Act 1984 (PACE)**

Section 1 of PACE provides the police with a power to stop and search a person or vehicle where they have reasonable grounds to suspect that they will find prohibited items, including offensive weapons such as knives, stolen articles, equipment related to the commission of certain offences and fireworks.

○ **S.23 Misuse of Drugs Act 1971 (MDA)**

Allows an officer to stop and search persons, vehicles and vessels for prohibited and controlled drugs. Applies when the officer has reasonable grounds to suspect that the person is in possession of a controlled drug.

○ **S.163 Road Traffic Act 1988 (RTA)**

Under section 163 of the Road Traffic Act 1988, police officers have the power to stop a person driving a vehicle on a road. A vehicle is defined as being propelled: By mechanical means (e.g., a car or scooter); or. Through physical exertion (e.g., a bicycle).

○ **S.60 & S.60AA Criminal Justice and Public Order Act 1994**

Section 60 allows any uniformed constable to stop any pedestrian, or any vehicle driver and any passenger(s) and search them and / or their property for offensive weapons or dangerous instruments, regardless of whether there are any grounds for suspecting possession of said articles.

S.60AA allows a police officer to: - Remove any item that they reasonably believe is being used to wholly or mainly to conceal the identity of the person wearing it. - Seize any item which they reasonably believe any person intends to wear wholly or mainly for concealing their identity within the police area.

Under Avon and Somerset Constabulary's new Stop Search procedure

the smell of cannabis alone cannot be used to form reasonable grounds for suspicion to stop and search as has been previously commented on by the Panel.

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. Officers must be able to demonstrate an objective basis on which they believe the smell can be attributed to a person. The smell of cannabis can on its own provide a reason for an officer to start a conversation with a person. This conversation may confirm or allay the officer's suspicions and may provide grounds for search. The smell of cannabis may form one of the three or more factors required to provide reasonable grounds for search.



DECEMBER 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 52 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 (person stopped 3 times or more in a 12-month period).

*EIP = Exposure of Intimate parts, formally Strip Search

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



December: Identified Themes

Each Panel meeting will foster constructive and thought-provoking discussions about the use of police powers, providing the Panel with an opportunity to raise concerns and ask questions of the police. Three key themes were identified during the December meeting, as outlined below:

- ✚ The use of BodyWorn Camera (BWC)
- ✚ Officers requesting to look at mobile phones as part of a Stop Search
- ✚ De-escalation – the constant repeating of telling detained persons to ‘calm down’

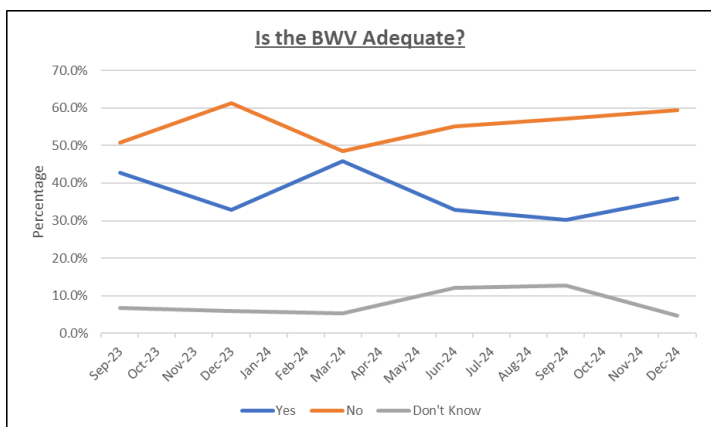
The use of BWC: This area of concern continues to be continually raised. Since 2017 the panel have highlighted concerns with police around how officers use their BWV to record stop and search interactions. Panel concerns raised have included cameras either appearing to be turned on late, turned off early or not turned on at all. The panel have also noted that officers do not seem to provide a verbal narrative on camera to explain their decision making on BWV recordings as they once did. In March 2021, police figures stated that BWC was recorded as being turned on for 94.4% of all stop and search interactions. As can be seen on the below graph, the panel’s independent findings show that the use of BWC by officers has declined significantly over the last couple of years.

The IOPC recently issued a position statement on stop and search in the [IOPC Race Discrimination Report](#) which included clear direction recommendations around this issue (p30) - *'Body-worn video should be used to capture an officer’s commentary leading up to the person being detained for a search, the conduct of the search itself, and the subsequent conclusion of the encounter.'*

Last quarter (September), ASP stated to the panel that it was unlikely that there would be any significant change in this area until new cameras are issued to officers with an automatic pre-record function. The Panel are concerned by this position and would like further reassurance from police around how this important area of concern could be improved, especially considering their ongoing findings.

Given the clear IOPC position and the ongoing concerns highlighted by the ISOPPP, the Panel would like to further understand why no improvements are expected, what reasonable steps they are taking to improve their performance in this area and how first line managers and leaders within the organisation can be part of the solution.

ASP have been made aware of the repeated concerns and this matter will be raised in the March 2025 Panel meeting for discussion.



Is the BWV Adequate?			
Quarter	Yes	No	Don't Know
Sep-23	42.7%	50.7%	6.7%
Dec-23	32.8%	61.2%	6.0%
Mar-24	45.9%	48.6%	5.4%
Jun-24	32.8%	55.2%	12.1%
Sep-24	30.2%	57.1%	12.7%
Dec-24	35.9%	59.4%	4.7%



Officers looking at mobile phones as part of a stop search: This has been picked up on a number of occasions whereby officers are proceeding to look through the mobile phone of a detained person in the case of a stop and search.

Police Response: *This is not permitted in ASC at all now. We have stopped due to legislation change; we now cannot search phones under search stop powers. Ensuring remedy have the highest level of professionalism. This date was 27th July. This officer attended my training during October.*

*Under the new Stop and Search Procedure for Avon and Somerset:
Section 7.18 Using s.23c Misuse of Drugs Act to look through phones:*

7.18.1: ASP does not support the use of s.23c Misuse of Drugs Act to look through a person's phone under stop and search powers.

7.18.2: If officer suspects evidence of an offence is on a person's mobile phone or electronic device, they should consider seizure powers under s.19 PACE and complete the interrogation of the device using recognised and approved methods.

7.18.3: There is no ability to require a person to provide their password under Stop and Search

De-escalation: repeatedly telling people to 'calm down': Over the years, ASP has made significant progress in training officers on the effective use of tone, language, volume, and content when interacting with the public. On many occasions, good practices have been observed in this area.

However, in recent quarters, it has been noted that officers have frequently been telling individuals to "calm down," which often has the opposite effect and has contributed to situations escalating, sometimes requiring the use of force.

Police Response: *At present, there is not any specific or standalone training on de-escalation as this is encompassed within the situational based PPST training. This is also now offered to new recruits instead of the previous line drills.*

Telling a subject 'Calm down' repeatedly does not form part of the situational PPST training. Our officers are faced with challenging and confrontational situations on a daily basis in the live environment and therefore it is worth acknowledging that natural tendencies will sometimes be present. We will highlight this issue with the Operational Training Team and ask that this is shared with the training staff to ensure that it is raised during training moving forwards for colleagues to be aware of.

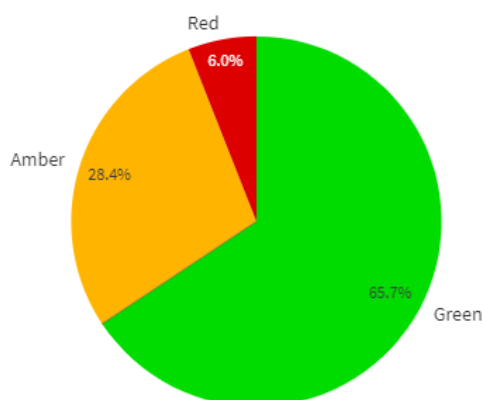
This matter will be placed on the organisational tracker and kept in view.



DECEMBER 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.

Result of case gradings for December's case reviews:



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

Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
38.	<p>UoF – Female U18</p> <p>Public safety - female reported to be carrying a knife in the waistband of her clothing.</p>	<p>3 reviews: 1 Red, 0 Amber, 2 Green</p> <p>Positive:</p> <ul style="list-style-type: none"> - Lead officer did move cuffs to front but not convinced they were necessary in first place. Other officers attending conducted searches calmly. -The situation was very calm, with officers being courteous and speaking quietly, explaining what was happening and reasons for checks, clear with questions, and when giving the choice of custody and interview immediately, or de-arrest and being taken home, with interview later. - Police officers dealt with the situation well. <p>Concerns:</p> <ul style="list-style-type: none"> - Officer received update on radio that knife was fake - and plastic knife surrendered at once but still went ahead to cuff 14-year-old (originally to rear) and arrest her under S1 of PACE. Appreciate seriousness of potential for real weapon, but actions could have scaled right back much sooner. The 3 young people made no attempt to run and were being compliant. Request for phone as under arrest felt unnecessary and not followed 	<p><i>We are grateful for the feedback of the panel in this incident. This imitation knife did have the appearance of being real and support the initial approach of the officers in attendance, however, we also agree with the panel that there is an opportunity for learning in the later parts of the incident and we will ensure that this is fed back appropriately to ensure that we are maximising opportunities for positive engagement.</i></p>



Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
		<p>through. The officer leading seemed under confident making decisions and missed the opportunity to apply own judgement to manage situation differently. Felt like a missed opportunity to engage more positively by educating 14-year-olds with a firm and clear warning about artificial weapons which would have been a more positive outcome.</p> <p>Other comments: - Needs to be greater consideration for individual circumstances, including age of individuals when dealing with fake weapon.</p>	
25.	<p>Mod-High Repeat S&S</p> <p>W/N.European aged 13. 5x last 12 months.</p>	<p>5 reviews: 0 Red, 3 Amber, 2 Green</p> <p>Positive: - The woman PO did a good s/s on the young girl. She explained the grounds for the search before she did the search and interacted well with her. - It is the situation that needs review, rather than the behaviour of the officers. Several officers were stuck with four young people sitting on the pavement in the middle of the night on a main street Bridgwater because no other officers or police vehicles were free to come to take them home. - Friendly and reassuring to parent, explained to YP about search.</p> <p>Concerns: - I have some concerns about how the 3 boys were managed by the various police officers present. A sergeant arrived after a long delay but appeared not to be managing the situation. Unclear why he was there. There were very long delays in doing s/s on all the young DPs and no responsible adult was present. There was a very long and repetitive conversation between one PO and the very young boy who had had handcuffs applied to one wrist pending his eventual stop search. He kept asking for them to be taken off. The PO kept telling him she would take them off when he calmed down. This must have been repeated 20 times or so and was utterly pointless as a de-escalation technique. It seemed only to make the situation more volatile. Was the UOF in applying handcuffs lawful when there appeared to be no statutory power invoked to use force, I'm not sure and have therefore marked this as amber.</p> <p>Other comments:</p>	<p><i>The panel feedback is noted - there are good interactions by some of the officers involved and not so from the two male officers. The group have waited for further officers to arrive and support with the S&S. The Sgt arrives and is coordinating next steps as to whether the detainees would be arrested or not.</i></p>



Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
		<p>- The two (perhaps three?) officers at the scene remained calm, controlled, firm but not unfriendly in this difficult situation with four minors. The young people had no respect for the police and were not worried by the situation they were in, although there is no doubt they were also vulnerable. I have designated this case as 'amber' below for this reason, and NOT because the behaviour of the officers was at fault.</p>	
23.	<p>Mod-High Repeat S&S</p> <p>Black, aged 24. 2x last 12 months.</p>	<p>5 reviews: 0 Red, 1 Amber, 4 Green</p> <p>Positive:</p> <ul style="list-style-type: none"> - PC led the stop search and did so very effectively. He addressed all 4 detainees as one, checked that they all understood reasons for stop; for handcuffs; and for moving on to strip search. All 4 officers involved were calm and polite with detainees, and all contributed to achieving high and good-natured levels of co-operation. I liked the clear message that passenger's names were not a requirement. A job very well done. - All officers were relaxed, efficient but friendly, explaining what they were doing and why at each stage. - Lead Officer was polite and fair. <p>Concerns:</p> <ul style="list-style-type: none"> - No strip search video, BWV switched on late, Searching of a phone without any authorisation. <p>Other comments:</p> <ul style="list-style-type: none"> - This is a best practice example of communications to a group handled by a lead officer to favourable effect. It promotes understanding and consistency and potentially encourages a more compliant response. It also captures the grounds for stop etc on one BWV. Is there potential to use this approach more often when several people are stopped for search? 	<p><i>The panel's feedback in this case is noted with thanks. The officer who instigated this stop and search, to whom the majority of the feedback refers, displays this behaviour consistently in every stop search and has been the subject of positive ISoPPP feedback in the past. BWV of his searches has been used in training to demonstrate and share best practice. The panel's comments have been shared with the officer, thank you.</i></p>
29.	<p>UoF - Compliant Handcuffing</p> <p>Group of males detained under s.23 Drugs Act. PC conducted search on one of the detained males who was aggressive. Another male struggled when</p>	<p>2 reviews: 0 Red, 2 Amber, 0 Green</p> <p>Positive:</p> <ul style="list-style-type: none"> - Good communication with the DP whilst he is being transported to his home for a strip search. - Officers maintained a good rapport with several of the subjects, and the officer dealing with the subject who was most mouthy and aggressive still remained calm and courteous. <p>Concerns:</p> <ul style="list-style-type: none"> - Late BWV by uniformed officers. BWV not switched to audio for a strip search of a minor. 	<p><i>Thank you for the balanced feedback in this case. This incident relates to a proactive operation where the community indicated that significant harm was being caused by criminal activity in a residential area. We thank the panel for recognising the calm and courteous communication by the officer. We</i></p>



Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
	told he was being detained.	<p>No (or wholly inadequate) BWV by plain clothes police. There is no record of the actions of the plain clothes officers who appear to be negatively involved in the start of the incident on the basis of what the DP says. The uniformed police officers try to assuage his criticism of them by saying they would need to account for their actions, but they have not done so as there is no record of them.</p> <p>- One officer in the room where the subject was being strip searched did not turn his camera off, even though he was facing the young man being searched. He was doing paperwork at the time, but nevertheless should have been conscious of the camera pointing at the subject.</p> <p>- I would like the actions of the plain clothes police officers to be reviewed as they seem to be the catalyst for what followed, and the description of their activities described by the DP is worrying. The strange BWV secreted inside a jacket simply aid to an air of mystery as to what they were doing.</p> <p>Other comments:</p> <p>- Amber given below, because of the officer not being aware of his camera being on during the strip search of a minor.</p> <p>- There were five videos for this incident and not every part of the incident from start to finish were shown, so it's not possible to say if there were any incorrect decisions. But from what could be seen, there were no incorrect decisions, officers acted appropriately based on information received and were calm and courteous to subjects.</p>	<p><i>also accept the areas for improvement, and this had already been raised to the relevant SLT who are reviewing approach to such incidents to ensure that we act with a child-centric approach.</i></p>
11.	<p>S&S – EIP</p> <p>Female aged 20.</p>	<p>2 reviews: 1 Red, 0 Amber, 1 Green</p> <p>Positive:</p> <p>- Good calm explanations given to driver for vehicle stop and search. Consideration shown with position of cuffs. EIP search process explained very well. Nice banter with known individual. Officers handled it well when he was vomiting, showing concern. Female plain clothes officer who handled female was a very calm and effective communicator. PC Jones led communications for EIP search on female at station and did so very gently and sensitively - prompting an open conversation about drug use etc. EIP search of 17-year-old male at home was well handled with AA - officers remained calm despite some verbal provocation. Continued to</p>	<p><i>The Constabulary thank the panel for their comments. The feedback has been shared with the officers' Chief Inspector for suitable feedback and learning. ASP's position on using s.23 Misuse of Drugs Act to look through a person's phone is clear - it is specifically prohibited in the stop search policy. Going</i></p>



Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
		<p>be sensitive to health issue and agreed to mum giving food. - great safeguarding of female officer should be acknowledged.</p> <p>Concerns: - Uniformed officer who stood behind female being questioned was more abrupt in communication style and interrupted the flow - felt like interfering. Officer who seized phone was photographing screens – not sure if that is legitimate? - Accessing mobile phone: Language and rights to a private life - Against ASP Policy.</p> <p>Other comments: - The category was EIP search of 3 people covered in 3 videos. The other 2 videos only featured the initial stop and search and provided context. However, when the videos are focusing on different officers and individuals it's hard to view it as one case for assessment. In this instance the officers conduct all warranted a green rating but that may not have been the case. It would be good to consider how best to handle such cases in future. - clarification of phone searches.</p>	<p><i>forward there should be no further instances of s.23 MDA being used in this way.</i></p>
17.	<p>Vehicle S&S</p> <p>S.23 MDA S&S.</p>	<p>2 reviews: 0 Red, 2 Amber, 0 Green</p> <p>Positive: - Officer responded to detainees concerns about visibility of stop by turning blue lights off. Calm communication style and explained Go Wisely well once other officers on scene. Officer said no need for 2 units to provide back up, so one stood down which avoided wasting resources.</p> <p>Concerns: - The first reason given for vehicle stop was manner of driving and officer was about to give further grounds when distracted by turning blue lights off. He then did not give 2nd reason, despite repeat questions - saying he was waiting for colleagues to come. This felt unreasonable with time delay, but I appreciate experienced constabulary view may be based on potential for response being difficult for lone officer to handle. Would welcome ASP view. - Intel that led to the stop needs to be seen by ISOPPP.</p> <p>Other comments:</p>	<p><i>Thank you to the panel for sharing their views on this case. The initial stop was not the commencement of the stop search, rather the use of s.163 Road Traffic Act powers - the officer hadn't enacted their stop search powers until GOWISELY was given. It appears that the officer, who was solo crewed, was making a tactical decision to delay giving full details about the reason for the stop and intention to stop search (recent intelligence relating to drug supply) as the officer realised that if he progressed to the next stage of the interaction i.e. detention and physical search, that being a solo crewed officer with an unknown person with intelligence for drug supply may lead to risk of confrontation or escape that he would struggle to deal with on his own. This is not an uncommon practice and will be a situation-based decision for officers at the time assessing the information and intelligence presented to them and the situation they are presented with as a solo crewed officer. It is important to note that as soon as the other officers arrive the initial officer gives the driver far more detail and</i></p>



Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
		<p>- For panel - clarity around practice of withholding grounds for stop/search until more officers present.</p>	<p><i>goes through GOWISELY in detail. The length of time spent waiting for others to arrive will always be situation dependent, but it is the Constabulary's view that it was not unreasonable in this case.</i></p>
2.	<p>Complaint (UoF)</p> <p>Complaint - Use of Force Male assaulted member of staff at Bristol Airport - male arrested</p>	<p>3 reviews: 0 Red, 1 Amber, 2 Green</p> <p>Positive:</p> <p>- This was a tricky situation for the officers to assess under time pressure with passengers held on bus and limited information on potential grounds. Despite pressures on scene, both officers refrained from acting until enough known about alleged offence and ability to ID person. Both conducted a reasoned assessment on conclusion and were pragmatic in deciding to de-arrest.</p> <p>- The officers dealt with this awkward situation extremely well. The officers had very little information to go on at the start, being faced with an airport bus full of passengers and not knowing which one was the person they were looking for, or even exactly what offences the subject was being accused of. They stayed composed, polite, firm and calm while the subject complained and called out accusations of police aggression and refused to listen to the officers or allow them to finish a sentence. The officers continued to calmly and politely try to explain why he had been stopped.</p> <p>Other comments:</p> <p>- As this is a complaint, then there will be further review. However, if it had just been presented not as a complaint but a 'Use of force' case, I would have said it does not need further review.</p>	<p><i>We thank the panel for their positive comments in this incident. The officers have remained calm and professional throughout, using proportionate force to deal with a challenging situation.</i></p>
19.	<p>Vehicle S&S</p> <p>Male seen driving a vehicle with links to drug supply.</p>	<p>4 reviews: 0 Red, 0 Amber, 4 Green</p> <p>Positive:</p> <p>- There were around 6 or 7 officers at the scene. They all worked quietly and calmly as a team, consulting each other, agreeing different roles with some searching the car, others searching the subject and getting details about him from the computer. The officer doing the search explained to the subject what he was doing at each point of the search. All officers were polite and respectful to each other and to the subject.</p> <p>- Officer conducting the drug sweep and breathalyser explained very nicely and clearly what the procedure was and why it was being</p>	<p><i>The Constabulary thank the panel for their feedback in this case, which has been shared with the officers involved and their supervisors (who were also present at the search).</i></p>



Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
		<p>done. All officers seemed to work well together and were polite and professional with the DP.</p> <p>- Good explanation offered to the DP by the PO who did the drug test. Good care and respectful attitude throughout.</p>	
34.	<p>UoF - Taser BME</p> <p>CRI - male said to have been walking along, potentially suffering with his MH with a knife on him.</p>	<p>2 reviews: 1 Red, 0 Amber, 1 Green</p> <p>Positive:</p> <p>- Police dealt well with the man once he was in handcuffs, he was compliant.</p> <p>Concerns:</p> <p>- Somewhat concerning that the officer with the taser didn't turn his BWV on at the start of the incident.</p> <p>- There are a few things here that may need further review =</p> <ol style="list-style-type: none"> 1. late BWV 2. no explanation given to the DP regarding how he 'meets the description' of someone who was reported to be carrying a knife. Is it simply that he is a black man or was there something further in the description that explains them detaining this person 3. the immediate arrest of the DP seems heavy handed - if the police had just cause to have suspicion that he was carrying a knife a stop search would enable them to address this suspicion without an arrest 4 given that the DP was arrested there was nothing said to him at the conclusion of the search to confirm he was de-arrested. <p>Other comments:</p> <p>-It was interesting to hear a reversal of the usual situation, when an onlooker was complaining about the police behaviour, and the subject called out to him to stop videoing the situation and to 'leave the police alone'!</p> <p>- I have marked this as an inappropriate use of power as the police have not explained the grounds on which they had suspicion that THIS male had been carrying a knife.</p>	<p><i>The Constabulary thank the panel for their comments. We accept that the BWV has been used late in this case and therefore we have not been able to review the initial interaction. We will be feeding this back to the officers concerned. To provide some reassurance, the male does accurately match the description provided to the Police, but we accept that this is not communicated fully to the male at the time.</i></p>
43.	<p>UoF - Baton & PAVA</p> <p>Male arrested for assaulting officer, failing to stop at the scene of an accident, possession of class</p>	<p>2 reviews: 1 Red, 0 Amber, 1 Green</p> <p>Positive:</p> <p>- POs dealt well with the subject in trying to make him comfortable after PAVAing him.</p> <p>- All officers resumed calm and courteous approach as soon as the subject became compliant (after PAVA, handcuffs, arrest), explaining what would happen next, why he would be taken to hospital for a checkup, and</p>	<p><i>We are thankful for the feedback from the panel in this case. Officers have dealt with a challenging incident involving a violent subject who appears to be of a large build.</i></p>



Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
	C drug and poss. Offensive weapon.	<p>assuring him that water would be supplied to help with PAVA spray symptoms.</p> <p>Concerns:</p> <ul style="list-style-type: none"> - The BWV gives no indication of what led the police to determine that they had grounds for arrest and therefore UOF. There may be good reason but because of the there being no BWV of the arresting officer I raise this as a point of feedback. ON the basis that the BWV does not evidence any basis for the use of force nor indeed of arrest I have marked this as red and as needing further review. <p>Other comments:</p> <ul style="list-style-type: none"> - It would have been helpful if the officer switched on his BWV when he arrived at the scene of the crash, rather than when he was already sweeping up, and presumably had already had some interaction with the driver of the car. 	<p><i>Despite being injured during this difficult incident, the officers remained calm and professional whilst also considering the aftercare of the subject.</i></p>
44.	<p>UoF - Baton & PAVA</p> <p>Affray/Assault - males restrained on floor by door staff and subsequently arrested for affray.</p>	<p>3 reviews: 0 Red, 1 Amber, 2 Green</p> <p>Positive:</p> <ul style="list-style-type: none"> - PC shows a best practice example of diffusing situation with his calm and pragmatic approach. All other officers involved also remained calm and considerate - altering position on floor and handling detainees with care and good communications. Their handling avoided unnecessary arrests. - The subject was drunk and wouldn't listen to officers, but they remained patient and courteous throughout, trying to get him to understand that he would be de-arrested as long they took him home in the police van first, as there were no complaints against him. <p>Concerns:</p> <ul style="list-style-type: none"> - BWV provided does not enable me to assess initial use of force and deployment of PAVA. - rating therefore Amber. In all other regards conduct of officers arriving on scene later would have been a clear Green rating from me. 	<p><i>Panel feedback noted - BWV does not show the initial use of force when officers arrived. I agree that officers have dealt with detained male in calm way and shown care/compassion.</i></p>
13.	<p>S&S – EIP</p> <p>Female aged 19.</p>	<p>2 reviews: 0 Red, 2 Amber, 0 Green</p> <p>Positive:</p> <ul style="list-style-type: none"> - Officer recorded his thought process clearly on the BWV regarding the reasons for the stop of the vehicle and the reasons that he held suspicion that there may have been drug dealing. 	



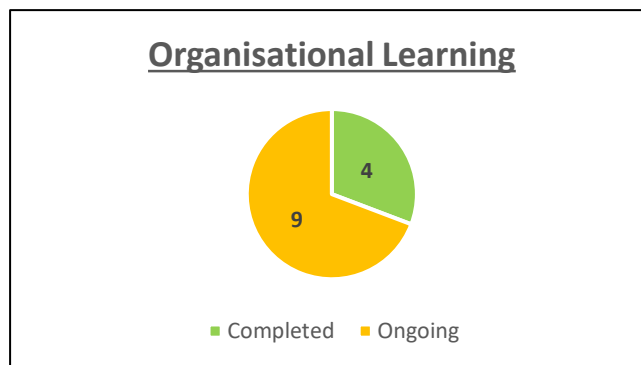
Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
		<p>- The whole situation was calm and controlled, with courtesy shown to the five people throughout the situation, and explanations given for each stage about what was happening and why.</p> <p>Concerns:</p> <p>- However, when explaining his powers to the DPs to stop and search he speaks far too fast - it is actually almost impossible to understand what he is saying when he explains his statutory powers to the DPs, It is really important that members of the public understand the lawful basis for the exercise of such powers.</p> <p>Other comments:</p> <p>- I couldn't decide whether to recommend a second review in 35 above but had to select one or the other.</p> <p>- I didn't hear the receipt being offered, but several officers were involved in the search, and not all speech was caught on video.</p> <p>- The BWV is turned off before the strip search is finished. In addition, it is turned on only after the 2 vehicles have been stopped and whilst the POs are engaging with the occupants.</p>	<p><i>The panel's feedback is received gratefully in this case. The officer is incredibly passionate and sometimes this comes across in how quickly he speaks. This feedback has been shared with him.</i></p>
8.	<p>S&S Cannabis smell</p> <p>Public Order - detained for drugs search.</p>	<p>4 reviews: 0 Red, 0 Amber, 4 Green</p> <p>Positive:</p> <p>- Officer was very patient with an irate/loud detained person</p> <p>- Officer dealt with incident calmly and appropriately</p> <p>- The officer was firm and in control of the situation, but calm and measured, and managed to remain courteous in the face of a barrage of uncontrolled speech and rudeness from the young subject.</p> <p>Other comments:</p> <p>- A good best practice example of calm handling of an angry and disturbed individual, avoiding escalation.</p>	<p><i>This was a challenging situation dealt with very well by a solo crewed officer. The panel's feedback reflects this and has been shared with the officer and their supervisor for recognition of good practice.</i></p>
5.	<p>S&S Cannabis smell</p> <p>Male stopped for S23 search - cannabis found.</p>	<p>2 reviews: 1 Red, 0 Amber, 1 Green</p> <p>Positive:</p> <p>- PC should be commended for his continued patience and clear communications in handling a demanding situation very well. The other officers arriving to help with vehicle search and transport to custody focused on search and not overcrowding young man which helped keep calm. A difficult job well done.</p>	<p><i>Panel feedback noted - overall positive interaction with detained person. Panel concerns noted around the officers remaining professional throughout their interaction and</i></p>



Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
		<p>- Go wisely explained well - and repeated clearly by PC. Consideration shown for knee issue by all officers when helping detainee up from floor. PC good clear communications with male on tag - pragmatic approach to releasing him with a warning. Officers worked well together.</p> <p>Concerns:</p> <p>- When facing heckling from detainee already released - it might have been more effective to ignore his conduct rather than telling him he was being boring and to 'shut up' - felt that was more likely to escalate his behaviour.</p>	<p><i>not making comments that could escalate the situation.</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.



4 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:



Date	Organisational Learning Identified	A&S Police Update	Status
Dec 21 - Dec 24	<p>BWV SWITCHED ON LATE, OBSCURED, INADEQUATE OR NOT SAVED AS EVIDENTIAL.</p> <p>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.</p> <p><i>This matter is to be raised at the March Panel meeting in 2025</i></p>	<p><i>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.</i></p> <p><i>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.</i></p>	KIV - Ongoing scrutiny
Dec 21 - Dec 24	<p>STANDARD PRACTICE HANDCUFFING A COMPLIANT PERSON AT A STOP AND SEARCH.</p> <p>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?</p>	<p><i>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.</i></p>	KIV - Ongoing scrutiny
Jun-24	<p>THE PRACTICE OF SEIZING MOBILE PHONES, OR VIEWING THE CONTENT, UNDER SECTION 23(2)(c) MISUSE OF DRUGS ACT 1971.</p> <p>This matter was initially closed as being dealt with as ASP stated: <i>From August 2022 officers will cease to use Sec 23 to justify seizing phones at a Stop and Search. This applies until and if the search results in an arrest.</i> However, some recent case reviews have identified some officers searching mobile phones of detainees as part of a Stop Search, therefore the concern is being placed back onto the organisational tracker.</p>	<p><i>Section 7.18 of the new Stop and Search Procedure for the Avon and Somerset Constabulary states: Using s.23(c) Misuse of Drugs Act to look through phones:</i></p> <ul style="list-style-type: none"> - <i>ASP does not support the use of s.23(c) Misuse of Drugs Act to look through a person's phone under stop and search powers.</i> - <i>If officer suspects evidence of an offence is on a person's mobile phone or electronic device, they should consider seizure powers under s.19 PACE and complete the interrogation of the device using recognised and approved methods.</i> - <i>There is no ability to require a person to provide their password under Stop and search powers.</i> 	KIV - Ongoing scrutiny
Jun-24	<p>THE SIGNIFICANCE OF LANGUAGE, VOLUME, TONE AND CONTENT WHEN SPEAKING TO A MEMBER OF THE PUBLIC, PARTICULARLY IN ESCALATION/DE-ESCALATION SITUATIONS.</p> <p>This matter was closed off in 2023 after significant improvements and good practice was recognised by the Panel. Officers across the force received de-escalation training. ASP provided the following: <i>We have now fully incorporated situational based training for yearly refreshers in Public and Personal safety Training and we believe that this outcome is linked to the new training.</i> Over the last few quarters, the consistently used 'calm down' approach used by officers has aggravated and escalated a number of situations. Therefore, this matter has been re-added to the tracker.</p>	<p><i>At present, there is not any specific training on de-escalation per se as this is encompassed within the situational based PPST training. (This is also now offered to new recruits instead of the previous line drills).</i></p> <p><i>Having attended the situational training and observed other sessions, I can confirm that telling someone to 'calm down' repeatedly does not form part of the training and I wonder if this is part of an innate response by officers when faced with challenging or confrontational situations in the live environment. I will raise this issue with the Operational Training Team and ask that this is shared with the training staff to ensure that it is raised during training.</i></p>	KIV - Ongoing scrutiny
Dec 21 - Dec 24	<p>STOP AND SEARCH CONCERNS:</p> <ul style="list-style-type: none"> - Lack of consistency explaining the availability of a S&S receipt and how the person can access it. - The smell of cannabis alone does not provide the grounds for a S&S. - At an EIP Search, BWV on audio only should be activated. - Lack of adequacy of grounds for a S&S. - Officers persistence in asking detained person for their personal details after they declined to give them. 	<p><i>Throughout 2024, a new Stop and Search Policy was developed and implemented across Avon and Somerset. The majority of officers have had training on the new policy and from December 2024 onward, the Panel should start to see the impact of the training when they review their case selection.</i></p>	KIV - Ongoing scrutiny



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)

Get in touch

Avon and Somerset Police and Crime Commissioner
Avon and Somerset Police Headquarters
Valley Road
Portishead
Bristol
BS20 8JJ

www.avonandsomerset-pcc.gov.uk

Or you can contact the office by telephone on 01278 646 188

You can find us on social media here:



Diana Derrick
Scrutiny & Assurance Manager
Office of the Avon & Somerset Police and Crime Commissioner
Diana.Derrick2@avonandsomerset.police.uk