

Cambridgeshire and Peterborough Community Scrutiny Panel

Minutes of Stop & Search Scrutiny Session

Date: 21 February 2022

Time: 18:30 – 20:30

Venue: Parkside Police Station, Cambridge

Attendees:

- 3 independent panel members
- Superintendent Robbin Sissons, Cambridgeshire Constabulary (RS)
- Inspector Jamie Rice, Cambridgeshire Constabulary (JR)
- Sergeant Ciaran Constable, Cambridgeshire Constabulary (CC)
- Constable Julie McDougal-Waters (JMW)
- Jack Hudson, Office of the Police and Crime Commissioner (JH)

1. Introduction and updates since last meeting

1.1 The Chair, Al Gadney (AG) welcomed members of the Cambridgeshire and Peterborough Community Scrutiny Panel (the “Panel”) to the scrutiny meeting of Cambridgeshire Constabulary’s (the “Constabulary”) use of Stop & Search (S&S).

1.2 Panel members introduced themselves. In addition Superintendent Robin Sissons (RS), Inspector Jamie Rice (JR), Sergeant Ciaran Constable (CC) and Police Constable Julie McDougall-Waters (JMW) from the Constabulary and Jack Hudson (JH) from the Office of the Police and Crime Commissioner (OPCC), introduced themselves.

1.3 AG informed Panel members of the primary purpose of S&S and the ‘reasonable grounds’ test, details included in their packs and asked members to complete each assessment sheet and include any comments. A discussion took place

regarding improving the design of the review form. AG requested a further development to the Review Form.

ACTION: The Stop & Search Review Form to be amended to include an additional section for reviewing the Grounds as written in the TuServ system, which will be undertaken prior to BWV review. This will be assessed on its own merits and then the whole S&S will be assessed with an overall grading. Action allocated to OPCC.

- 1.4 Panel members were asked to sign individual Confidentiality Agreements. These were returned to JH. AG reminded attendees to declare any conflict of interest in any of the person(s) involved in any of the S&S videos. AG reminded them of their previously agreed policy position, in that where they did have a conflict of interest, this should be declared in the first instance and that it would be their choice as to whether they wanted to be excluded from that session.

2. Minutes of Previous Panel Meeting (29 Nov 2021)
 - 2.1 The minutes of the previous S&S Scrutiny Panel were discussed.

 - 2.2 AG was the only Panel representative who had been present at the meeting on 29 November 2021. AG advised the Panel that he had signed off the minutes for this Scrutiny Panel.

3. Action Log
 - 3.1 AG / JH discussed the current action to refine the Action Log to ensure that all actions had been collated and were being progressed. The OPCC are progressing this on behalf of the Panel. The revised and collated Action Log will be available for the AGM.

4. Training Feedback
 - 4.1 A discussion took place regarding feedback provided by members of the Scrutiny Panel who attended a training session in January 2022. AG advised

that he had not yet shared this with the rest of the panel as he was awaiting feedback from the two panel members concerned.

ACTION: AG to share findings with the Panel once all discussion has taken place.

4.2 RS updated the Panel of the monthly deep dives he undertakes into the Grounds captured for use of S&S. A summary document sent to all supervisors and inspectors of front line officer's can be seen at Annex 1. Constabulary will continue to provide feedback to Panel on internal reviews of Grounds on a monthly basis

4.3 RS identified that a third-party provider has been identified to deliver awareness training on unconscious bias. AG asked whether Panel members would be allowed to sit on this training. RS agreed.

ACTION: RS to notify AG when the next Unconscious Bias input session would be so that invites could be shared with Panel members. (Update: First 3rd party training is scheduled to take place in April 2022.)

5. Strip Search Protocol

5.1 AG advised that he and Ellis Weinberger (EW) had separate meetings with RS to discuss protocols for Strip Searches. These meeting related to a previous action in relation to Strip Searches. CC provided an update on legislation, which included when and where such searches would be undertaken. This included ensuring privacy, which included switching any body worn video (BWV) equipment off. It was highlighted that there was currently no formal capture of strip searches. AG had recommended that an audio capture of the strip search would protect both the individual and the officers.

ACTION: RS to progress use of audio during strip search and update panel at next meeting

5.2 A discussion took place regarding drug related Strip Searches at a party. RS/CC answered specific questions and discussed the approach adopted, which included the approval of Supervisors. RS reminded the Panel that such searches are infrequently used and are subject to supervisory check and balances.

6. Grounds Review Update.

6.1 AG provided a verbal update to the Panel which cross-referred to the review work being undertaken by constabulary. An ongoing discussion took place re the need to highlight 'high-hitters' in relation to the use of Stop & Search powers.

ACTION: AG requested that the Panel be provided with monthly anonymised data. Action Ongoing. Action allocated to the Constabulary.

7. Professional Standards Department (PSD) Quarterly Report. Stop & Search. 2021/22 (Q3)

7.1 A short presentation was provided which related to S&S data for Q3 2021/22 as provided by the Constabulary's PSD, the data can be seen at Annex [2](#).

8. Scrutiny of Body Worn Videos.

8.1 All Panel Members had a pack of information to aid their scrutiny which included the following:

- Stop and Search Review Form (*one for each body worn video shown*)
- Information related to the four Stop and Search encounters (three videos), which included details of the date, location, subject information, the authority on which the search was being carried out, the legislation, the grounds of the search (redacted), the outcome of the search, and other relevant information pertaining to the Stop and Search.

8.2 Stop & Search Review 1 (SS/1772572622/42 (30 Nov 2021))

Incident: Officers called on vulnerable person for welfare check and suspected cuckooing. The scrutiny would focus upon the grounds and further details only. No Body Worn Video (BWV) evidence was reviewed.

Summary of findings: The panel considered that there was insufficient information to show that this encounter was Necessary, Proportionate and Ethical. The link between the subject and tenant was not clear to the panel. The panel did not consider that there was sufficient reasons for searching the subject.

Summary of Chair's comments: This example provided lots in build-up to develop a suspicion, but no effective Grounds provided. There was no specific reason as to why that individual at that time should have been subject to a stop and search. There was plenty to suggest that questioning should have taken place, but these are insufficient on their own to allow stop and search. The grounds failed to provide a legal precedent for the activity. The panel do however recognise that it would have been reasonable to consider questioning the individual and had the BWV been reviewed, this may have been witnessed.

RAG Assessment – Amber.

ACTION: The Constabulary to review the findings of the Panel and update the panel on any subsequent action taken.

8.3 Stop & Search Review 2. SS/0500697070/9 (11 Jan 2022)

Incident: Information indicated that a motor vehicle was being used for criminal activity. Officer(s) stopped the vehicle. Officers suspected that items could have been hidden or passed between occupants. Initial search of vehicle undertaken. DPs taken to a police station for the purposes of a strip search. Class A and Class B items were found.

Summary of findings: The Panel agreed that the grounds for the search, which was supported by intelligence, was clearly articulated. The Officer communicated clearly and demonstrated a high level of professional standards of behaviour. The Panel wanted to compliment the Officers for their high level of professional standards of behaviour and the way this S&S was carried out.

Summary of Chair's comments: This S&S was an excellent example of making good use of police intelligence to carry out a successful S&S. The officers worked well to contain a situation, maintaining a professional and calm demeanour and apply sound logic to proceed with a strip search.

RAG Assessment – Green.

ACTION: The Constabulary to review the findings of the Panel and update the panel on any subsequent action taken.

8.4 Stop & Search Review 3. SS/3141959646/72 (24 Jan 2022)

SA declared a conflict of interest, which was noted.

Incident: Officers patrolling when they observed a suspected drug deal. Officers detained the person for the purpose of a search. DP arrested for Possession with intent to supply Class A Drugs and taken into custody for a strip search.

Summary of findings: The Panel considered that the unnecessary use of language was an issue, this included inappropriate language used whilst using force. The timeliness of switching on the BWV was considered an issue. There was no evidence of the officers trying to de-escalate this Stop & Search. A member of the Panel was 'worried' about the way the whole Stop & Search was captured.

Summary of Chair's comments: Multiple aspects of this S&S were unacceptable. The Use of Force was excessive and not referred to in the Grounds. It is noted that cross reference by the Chair to the second UoF highlights three flat kicks to front of DP's face and hands to prevent... to swallow drugs.' It is difficult to conclude anything other than this was an abuse of police powers with excessive use of force and minimum regard for police ethics.

The Chair noted that the supervisor did not highlight any issue with the S&S and therefore requests consideration of the supervisor's assessment also.

RAG Assessment – Red.

ACTION: The Constabulary to review the findings of the Panel and update the panel on any subsequent action taken. The RAG Assessment was Red and the agreed protocol is that this S&S should be referred to PSD for their consideration.

8.5 Stop & Search Review 4. SS/3141959646/73 (31 Jan 2022)

Incident: Officers observed a known drug user and suspected criminality. Subsequently stopped a motor vehicle linked to this drug user and detained the person for the purposes of a drugs search. DP arrested for possession with intent to supply Class A drugs and taken into custody for the purpose of a strip search.

Summary of findings: The Panel considered that this Stop & Search was a borderline Green/Amber. The BWV was more informative than the Grounds presented.

Summary of Chair's comments: The Grounds set the scene for the overall S&S but failed to capture the specific reason that justified the search. The effect of unconscious bias was evident. There was not a clear reasoning for the strip search to be undertaken except for the prior knowledge of the individual in the car. This must be expanded upon.

The BWV clearly identifies sound, objective reason for undertaking the S&S. Furthermore, the professional conduct of the officer also ensured that the individual subject to S&S remained calm throughout. This then is an opportunity for constabulary to continue the learning and development of officer's capture of solid Grounds.

RAG Assessment – Green (3)

ACTION: The Constabulary to review the findings of the Panel and update the panel on any subsequent action taken.

9. Any Other Business.
- 9.1 There was no other business.