

## **Minutes from the Cambridgeshire and Peterborough Community Scrutiny Panel**

### **3<sup>rd</sup> Stop and Search scrutiny session**

**Date:** 29<sup>th</sup> November 2021

**Time:** 18:30hrs – 20:30hrs.

**Venue:** Cambridgeshire Constabulary Headquarters, Hinchingsbrooke Park, Huntingdon.

#### **Attendees:**

##### **Scrutiny Panel Members:**

- 9 independent panel members

##### **Representatives of Cambridgeshire Constabulary**

- Superintendent Robin Sissons, Cambridgeshire Constabulary
- Inspector Kirsty Hills, Cambridgeshire Constabulary
- Sergeant Ciaran Constable, Cambridgeshire Constabulary
- Student Officer Julie McDougall-Waters, Cambridgeshire Constabulary

##### **Representatives of the Office of the Police & Crime Commissioner (OPCC)**

- Jack Hudson OPCC
- Aly Flowers OPCC
- Charmaine Christie OPCC
- Fran Toovey OPCC
- Tanya Little OPCC

**Apologies:** v5 independent panel members

#### **1. Introduction and updates since last meeting**

- 1.1 Al Gadney (AG) welcomed members of the Cambridgeshire and Peterborough Community Scrutiny Panel (the “Panel”) to the third scrutiny meeting of Cambridgeshire Constabulary’s (the “Constabulary”) use of their Stop and Search powers.
- 1.2 Panel members introduced themselves, along with Superintendent Robin Sissons (RS), Inspector Kirsty Hills (KH), Sergeant Ciaran Constable (CC) and Student Officer Julie

McDougall-Waters from the Constabulary and Aly Flowers (AF), Jack Hudson, Charmaine Christie, Fran Toovey and Tanya Little from the OPCC.

- 1.3 AG reminded Panel members of the primary purpose of Stop and Search and the 'reasonable grounds' test, details included in their packs and asked all to complete each assessment sheet as well as any verbal comments they may have to ensure everyone's views were given due consideration.
- 1.4 Panel members were asked to sign individual Confidentiality Agreements. These were returned to AF. AG reminded attendees to declare any conflict of interest in any of the person(s) involved in any of the Stop and Search 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 last meeting**

- 2.1 The minutes of the last Panel meeting held on the 27<sup>th</sup> September 2021 were agreed and would be signed off as a true record.
- 2.2 EW asked whether a Section 60 (S60) (Section 60 of the Criminal Justice and Public Order Act 1994 relates to the powers to stop and search in anticipation of, or after violence) would still require GOWISELY to be applied. KH confirmed that it would and that the officer would be expected to explain the grounds. KH highlighted that this Power is infrequently used and agreed to clarify out when the last S60 had been recorded.

***ACTION: Constabulary to update the Panel on the last time S60 was used in Peterborough and Cambridgeshire.***

## **3. Chair's update since the last Stop and Search scrutiny meeting on 27<sup>th</sup> September 2021**

- 3.1 AG and KH took the Panel members through a set of slides which included data tables, developed for the Panel, by a Panel member relating to Stop and Search grounds data between May to September 2021. It was noted that sometimes the grounds given were not always consistent and it was suggested a sub-group needed to look at this and results be taken back to officers to ask them to consider whether they were accurate and detailed enough in their completion of TuServ Stop and Search grounds. AG had created and sent a grounds rubric of this data for the Scrutiny Panel Data Subgroup to look into the headings and report back. AG suggested a 'Teams' meeting in 20 record packs, for ease of assessing.

3.2 AG shared a table of data from April to September 2021. The Panel agreed that only two areas of the county, Cambridge City and Peterborough, could be represented by meaningful data and that the difference in demographics could not be shown. KH suggested a comparison of crime census data increase in Stop and Search with Constabulary focus at the time might help explain an increase.

3.3 Panel Members were given an explanation regarding the availability of the nine body worn video (BWV) records that AG and Ellis Weinberger (EW) had selected. Of the nine, five were available. KH explained that recordings were tracked according to availability of data within the 31-day timescale during which recordings are held. The Constabulary had taken on board feedback to update the system to allow a three-month storage capability. It was not possible for Panel members to view videos earlier in order to save time due to personal data held and shown which must be redacted and this was agreed as a valid point. The Panel recognised the change the Constabulary had made to update the system.

#### **4. Stop and Search scrutiny**

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

- 'GOWISELY' sheet – (*'GOWISELY' is an acronym that states what information needs to be provided by a police officer conducting a Stop and Search to an individual*)
- 'Code of Ethics – summary' (*from College of Policing's website*)
- Stop and Search Review Form (*one for each body worn video shown*)
- Information related to the five Stop and Search videos including 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.

4.2 For each of the scrutiny sessions Panel members viewed the BWV and completed their review forms with their observations and comments. This was followed up by EW asking the Panel members for their views on whether the Stop and Search encounter was necessary, proportionate, and ethical; was the reasonable grounds test met; were professional standards met in terms of compliance with the Code of Ethics; had GOWISELY been complied with; and any other comments they had.

#### **5. Body Worn Video 1 – Ref: S&S/07/2021 – SS/4197964751/61**

5.1 In summary the Panel's feedback was:

- The body worn camera battery expired before the search was completed. The Panel was told that battery life is currently 10-12 hours when fully charged although the charge is not held so well as the life of the battery increases. Officers don't

have facility to charge themselves but must leave in a bank overnight or until their next shift. RS reassured the Panel that the Constabulary has in place a long-term plan to rollout new batteries with extended life capacity of over 15 hours.

- The subject was not asked whether they held any sharp objects nor to remove their jacket for a more thorough search. The Panel felt the officer asked some leading, rather than open questions. For example, suggesting the reason why the subject ran away, rather than ask why they had run away. However, the officer was friendly, reassuring, helpful and communicated clearly, especially when the subject seemed about to panic.
- The Panel agreed that the overall rating of this Stop and Search was: **Green**.

Detailed feedback can be seen in Appendix 1.

## 6. **Body Worn Video 2 – Ref: S&S/08/21 - SS/4277771061/1**

6.1 In summary the Panel's feedback was:

- The Panel noted the subject was already handcuffed when the body worn camera was switched on and questioned whether the record was incomplete and had there been a prior Use of Force record entered which would help explain this.
- The Panel recalled a previous case with an unrecorded Use of Force record with a Stop and Search record and would lookout for any further similar issues going forward. It was agreed that the OPCC would review previous minutes to confirm this.
- It was noted the time recorded by the camera differed from that recorded on TuServ.
- The Panel agreed that the overall rating of this Stop and Search was: **Amber, and would be considered Green if Use of Force had been entered onto the TuServ record.**

***ACTION: OPCC to review previous minutes to confirm whether a previous case of an unrecorded Use of Force record with a Stop and Search record was documented.***

***ACTION: Constabulary (KH) to look in to whether a prior Use of Force record had been input on to TuServ to explain the handcuffs.***

***ACTION: Constabulary (KH) to look at the time discrepancy.***

Detailed feedback can be seen in Appendix 2.

## 7. **Body Worn Video 3 – Ref: S&S/09/21 - SS/0335079209/41**

7.1 In summary the Panel's feedback was:

- The encounter was necessary in part as the subject voluntarily admitted that they had smoked a joint, but the behaviour was not proportionate and not ethical due

to the reporting of a strip search having been carried out but nothing to indicate why. In answer to a question about who reviews strip searches to ensure they are carried out professionally the Constabulary explained they are carried out away from public view and usually at police stations.

- GOWISELY was not fully adhered to and there were mixed views regarding professional standards because the searching officer's camera recording was not provided and so could not be heard as part of the scrutiny.
- The stated grounds were found to be unacceptable because they were confusing, didn't capture what was seen on the BWV and did not give sufficient reason for a strip search. The information regarding knowledge of the subject's address appears to have been written after the event rather than being known at the time, explanation of the intelligence was missing, subject appeared to be known by the officer but this was not included in the TuServ report. The Panel questioned how the officer knew that the subject was not near their home. RS explained there may be intelligence that could not be recorded on a Stop and Search record and KH agreed to take the entry up with the officer.
- Reasonable grounds were also questioned regarding the unlikelihood that controlled drugs would have been found on the subject during a regular Stop and Search interaction, although it was pointed out that the subject had mentioned they had just 'smoked a joint'.
- The Panel noted an apparent mismatch between the video of the female officer's camera and the record completed by the male officer who did the search, her voice was prominent, and the camera battery appeared to die before the search was completed. The Panel asked when a Stop and Search camera was recording and then Use of Force is required should another camera be turned on if another officer is present. RS agreed to check with Constabulary policy.
- The Constabulary noted that a record needs to be made in the TuServ reporting of when officers have worked as a team so that corresponding BWV can be retained and checked.
- The Panel agreed that the overall rating of this Stop and Search was: **Red and recommended that the video should therefore be referred to the Professional Standards Department.**

7.2 In response to a question asking whether they could state "due to intelligence known to me" RS explained that normally these records are written for police force eyes only and not public scrutiny, but confirmed he has actions to make officers aware that their records are subject to scrutiny by the Community Scrutiny Panel, so this must be taken into account.

7.3 The panel enquired whether a record can be updated after the initial entry has been made. The Constabulary explained that once saved the record can be accessed by the senior officer. TuServ would have time stamps showing at what stage data is added

and that once Grounds are submitted by the officer the Sergeant can send back to the officer to input additional information, and this would be shown in another section. RS/KH would consider additional updates and find out if there is any data that can be extracted which would more clearly support the reasonable grounds.

***ACTION: The Constabulary agreed to look at how Grounds can be written and shown to make them clearer to independent members who would not have prior knowledge of police systems and information.***

***ACTION: The Constabulary agreed to enquire about the entry made, why a strip search was carried out and an explanation regarding the intelligence.***

***ACTION: The Constabulary agreed to check force policy regarding whether a second camera recording should be made when the addition of Use of Force was needed.***

Detailed feedback can be seen in Appendix 3.

#### **8.0 Body Worn Video 4 – Ref: S&S/10/21 - SS/2917538590/95**

8.1 Due to time constraints, the Panel agreed not to view the fourth selected BWV and chose to go straight on to the fifth and final BWV.

#### **9. Body Worn Video 5 – Ref: S&S/11/21 - SS/2917538590/96**

9.1 This case was selected because they focused on younger members of the community. In summary the Panel's feedback for BWV 5 was:

- The Panel was happy with the way the officer considered safeguarding by taking the young subject away from the second, older subject (who was being spoken to by another officer) and quietly questioning them in a friendly manner and giving advice to empower the subject to make sensible decisions.
- There was a discussion about the inappropriate use of swear words by the officer when speaking to the young subject. It was acknowledged that this appeared to be a way to empathise and engage with the young subject. RS acknowledged that effective ways of speaking may not always be polite, however at no point are officers taught to swear.
- It was noted the officer appeared to be writing with an unusual and potentially dangerous pen and it was questioned whether it should be used when on duty. The force agreed to look into this and report back.
- It was also noted that the police station was not stated (GOWISELY) although it was implied from the officer's explanation.
- A further time anomaly issue was noted, and a suggestion made that perhaps the camera docks were not updating cameras when BST clocks reverted to GMT time. The Panel requested feedback as to how this would be resolved.

- The Panel agreed that the overall rating of this Stop and Search was: **Green** with **Amber** for professional standards regarding the language used.

**ACTION: *The Constabulary agreed to investigate the type of pen used by the officer and report back***

**ACTION: *The Constabulary would feedback as to how the time anomalies would be resolved.***

The detailed feedback can be seen in Appendix 4.

## **10.0 AOB**

10.1 AG suggested a review of the Red Amber Green (RAG) rating levels used for Stop and Search, perhaps following the RAG 1-9 scoring used for in the Use of Force scrutiny, so that the scoring provides a more accurate assessment withing the RAG banding. AG will send a feedback form to the Panel on this.

10.2 AG thanked AF for her very hard work in getting this Community Scrutiny Panel up and running, saying without whom they would not have come so far.

Appendices 1, 2, 3 and 4 attached.

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**Al Gadney**  
**Chair**