

NOTES

Stop and Search Independent Scrutiny Panel

13 and 14 March 2019 17.30 – 19.30

1. [a] In Attendance

Members: 13 March: Carolyn Mercer [Chair] plus 6 members

Members: 14 March: Carolyn Mercer [Chair] plus 1 member

Also in attendance: [Both meetings] Police & OPCC

1. [b] Apologies for absence

Members: 3 members offered formal apologies for both meetings

2. Any other urgent items notified to the Chair to be considered for inclusion

None

3. Consideration of Notes from previous meeting - accuracy and matters arising (21 November 2018)

The Notes which had been circulated were **accepted as accurate** and all Actions were **reviewed and noted as completed**.

The OPCC explained that the Notes/Minutes of the Independent Panel's meetings will be published on the PCCs website. This is to allow the wider public to see what is being discussed at the meetings and, again, to demonstrate the independence between the Panel and the Police.

4. Recent HMIC Inspection - outcomes and individual detailed examination of queries (CI Damian Kitchen and Insp. Rob Gomery)

The Chief Inspector explained the role of the HMICFRS and the fact that they are next due to inspect parts of the Constabulary in June/July this year. Part of their inspection will look at the legitimacy and effectiveness of the Constabulary's organisation. One of the areas for inspection was to be Stop and Search and, in this area of business, they would look at Legitimacy, Scrutiny and Effectiveness.

He went on to explain that nine months ago he provided HMICFRS with papers, reports and access to available data which included Power Bi. Their initial view in November last year was that HMICFRS considered only 80% of the 243 records viewed were deemed to pass their scrutiny test. This appeared to be a significant drop from the 94% achieved in February 2017. However, after viewing the 'fails', it was clear that a number had been misread or misjudged. After analysis by Police and the Independent Chair of the Panel, explanations and representations were made and the figure was more accurately considered by HMICFRS to be 86% of the examined Stop and Search records passed their scrutiny test. The Chief Inspector accepted that this was still not ideal but he felt that improvement was ongoing.

It was understood that as part of the Integrated PEEL inspection scheduled for June 2019 the HMICFRS had undertaken some early fieldwork and were satisfied with the progress made by Lancashire Constabulary in relation to Stop and Search. However, it was unclear at this stage how the good work by Lancashire Constabulary in relation to Stop and Search and other areas would be recognised within the PEEL Inspection.

Scrutiny Panel members were shown the documentation sent to the HMICFRS and their response to it. Explanation given as to what had been recorded and that the information given to the searched person was identical to that on the spread sheet.

Discussion took place about how officers are trained and how Stop and Search grounds are recorded.

One of the members, discussed the possibility of having drop down boxes giving an officer a menu to select reasons and grounds for a Stop and Search. It was explained that this had been considered and dismissed as it would restrict an officer's ability to record accurately the exact circumstances for a Stop and Search.

A discussion then took place about the use of body worn video [bodycams]. It was explained that the Constabulary are looking at new ways in which technology can help accurately record these types of interactions. This is an on-going piece of work.

The discussion then moved onto the ways in which feedback about queries from the Panel can be passed to officers. Currently, it is only sent to the individual officer and their first line supervision. **The general view was that both good and bad feedback from the Panel should be distributed to the whole force.**

It was felt that the new training computer platform could hold the key to this [Kallidus Learn training platform].

A discussion took place over the individual Stop and Search records that had been reviewed and 'found wanting' by the HMICFRS. The Panel agreed with the questions raised by them but considered that they had been critical about the way in which the officer had recorded the grounds not whether the Search was legal. There were no incidents where a Search had been considered not legal.

A particular example was cited and discussion about how officers should better explain the meaning of 'acting suspiciously'. It was acknowledged that just writing that a person was 'acting suspiciously' is not sufficient. The Panel want a better explanation as to what exactly they were doing to justify the legitimacy of the Stop and Search.

The Panel went on to say that they wanted to be able to raise awareness within the force of good practice and they wanted to raise across the force any theme such as the inappropriate use of 'acting suspiciously'.

5. Choice of target area for next meeting

The Chief Inspector gave the panel an overview of the use of the Section 60 powers in Lancashire so far this year. He explained the level of authority and internal scrutiny that is required before the power is authorized, i.e. it requires an ACC to authorise although an urgent authority can be implemented by an Inspector or above. The most recent authorities were subjected to additional scrutiny by the Panel.

The OPCC suggested that any further Section 60 authorities come to the panel for independent scrutiny and this was agreed by the Panel.

The Panel did question the fact that a community were often told about a Section 60 before it came into force and questioned the advantages of doing this as the offenders would also be aware of the police power and it is entirely possible that they would hide any weapons or move away from the area subject to the search power. However, if the motivation was to secure a reduction in the possibility/likelihood of a criminal act being committed, it was felt potentially advantageous.

An overview of Power Bi computer model was presented followed by a discussion and practical demonstration.

Further discussion about the number of recorded complaints about the use of Stop and Search over the last twelve months took place.

It was agreed by the Panel that the following would be standing agenda items:

Section 60 authorities

Any Complaints received about Stop and Search incidents

Power Bi performance overview

6. Report back Ride-along Scheme (Police and OPCC)

A discussion took place about the current feedback sheet available to those who have taken part in the ride along scheme. **Panel members requested to take a copy away and provide feedback directly to the OPCC.**

The Panel were informed that that only current volunteers had been invited to take part in the ride-along scheme and that a number of them had been declined as there was a desire for better independent community coverage, especially from 'harder-to-reach' communities. It was agreed that we do not generally want people that have already demonstrated that they are 'pro police' as it is important to secure the critical observation that the scheme requires. **Two members of the Panel indicated that their knowledge would be improved by taking part and this was to be arranged.**

7. Report back from Chair's meeting with PCC

Discussion took place about the problems faced by the Metropolitan Police and a question was raised "do we face the same sort of problems that they do?" The answer was, No, but one of the reasons for the question was that the North of England Conference held in December appeared to be very London-centred which was not considered helpful by those of the Panel who had attended.

8. Feedback mechanism - general or specific; both good practice and less good?

This had been considered under Agendum 5: "The general view was that both good and bad feedback from the Panel should be distributed to the whole force.

It was felt that the new training computer platform could hold the key to this [Kallidus Learn training platform]."

9. Any other urgent business.

None

10. Date, time and place of Next Meeting

TBA by Doodle Poll

ACTIONS

**A. To communicate the Notes of the meeting to all members of the Panel and to the OPCC and Police:
CAROLYN/POLICE**

- B. To arrange a Doodle Poll to ascertain the best time/date for a meeting for February 2019: CAROLYN [ASAP]**
- C. To implement that both good and bad feedback from the Panel should be distributed to the whole force. POLICE**
- D. To include the following as standing agenda items:**
 - Section 60 authorities**
 - Any Complaints received about Stop and Search incidents**
 - Power Bi performance overview CAROLYN/POLICE**
- E. Panel members to take a copy of feedback sheet for Ride-along away and provide feedback directly to the OPCC. ALL PANEL**
- F. Two members of the Panel indicated that their knowledge would be improved by taking part and this was to be arranged. OPCC/POLICE**