



Stop and Search, Use of Force and Continuous Improvement Panel

Wednesday, 16th October, 2024, 6pm

Morrison Room, Police Headquarters

PRESENT

Mark Hindle (MH) (Chair)
Stephen Donnell (SD)
Connor Eastwood (CE)
Christopher Hopkinson (CH)
Keith Kirby (KK)
Debbie Storr (DS)

IN ATTENDANCE

Chief Supt Chris Hardy (CH)
Hamza Foy (HF)
Ian Dickinson (ID)
Richard Harrison (RH)
Amy Robertson (AR)

Lancashire Constabulary
Lancashire Constabulary
Office of the Police and Crime Commissioner
Office of the Police and Crime Commissioner
Office of the Police and Crime Commissioner

1. Welcome and Introduction from the Chair

The Chair welcomed all in attendance.

2. Apologies for Absence

Paul Entwistle (PE)
Nichola Grimshaw (NG)
Paul Hudson (PH)
Halima Karbhari (HK)
Marcus Naylor (MN)
Reece Richards (RR)
Clinton Smith (CS)
George Stewart-Moss (GSM)
Amanda Wooldridge (AW)
Inspector Jon Campbell-Smith (JCS)

Lancashire Constabulary

3. Declaration of Interest

Panel members were reminded of the need to consider and disclose any declarations of interest relating to any individuals, officers or matters under consideration.

No declarations of interest were disclosed.

4. Minutes of the previous meeting held on 24th July 2024

The minutes were agreed to be a true and accurate record.

5. Actions from the previous meeting

An action log was shared with members for discussion and updated accordingly.

In relation to action 1, it was agreed that this be marked as ongoing until a permanent Chair was appointed. It was noted that MH would perform the role of Chair for the next two meetings, with the intention of selecting a permanent Chair in the new financial year. In the meantime, members were asked to share expressions of interest to be considered in the selection process for a permanent Chair with AR.

In relation to action 2, CH highlighted that members involvement in the ride-along scheme required further consideration, as the Constabulary was mindful not all incidents involved would be appropriate for Panel members. Therefore, it was noted that measures must be put in place before members were invited to attend a ride-a-long with the Constabulary.

Members noted that whilst it would be interesting to attend a ride-along, they acknowledged the difficulties presented to the Constabulary regarding facilitating members' involvement. In addition, members noted the importance to consider whether the benefits outweighed the risks.

A Panel member noted that it may be more beneficial to attend and review relevant Constabulary training sessions. CH recognised that panel members may find it useful to attend the personal safety, and Equality and Diversity training delivered to officers.

Moreover, CH suggested member involvement in Hydra and operations where a stop and search was guaranteed to be conducted.

In consideration discussions, CH indicated that he would notify the Chief Officer Team of members' preferences to attend relevant Constabulary training and operations dedicated to conducting stop and search.

ACTION 12: CH to liaise with AR to arrange panel member attendance to personal safety training and Equality and Diversity training.

ACTION 13: CH to keep Panel members informed of opportunities to attend operations whereby a stop and search was guaranteed to take place and arrange attendance.

In relation to action 8, members agreed that case feedback be a standing item on the agenda for future meetings.

In relation to action 9, members were advised that in the new year, a survey would be circulated to members requesting feedback and collated into a feedback report.

In relation to action 10, it was noted that an action log had been created and would be circulated to members within meeting papers going forward.

6. Review of 4 Stop and Search Incidents and associated Body Worn Video

Due to time constraints, the panel were unable to review stop and search incidents. The Chair suggested that the stop and search cases be reviewed at the next meeting.

ACTION 14: AR, MH and CH to meet outside of the meeting to review the meeting format, duration and frequency due to there being insufficient time to address all agenda items.

7. Review of 4 Use of Force Incidents

The Panel considered five Use of Force Cases, which were chosen by an algorithm. Normally, the Panel would be shown an incident log, stop and search form(s) and body worn video (BWV) where available. Due to IT issues, members were unable to review incident logs and stop and search form(s), however they were shown BWV in all cases. CH assured that the relevant documentation would be available at the next meeting for the next cases selected to be reviewed.

ACTION 15: CH to ensure incident logs and stop and search form(s) are provided in the meeting where available.

*The Panel reviewed **UoF Incident 1** with the following outcomes:*

Members noted that the angle of the BWV did not allow for full viewing of the incident. As such, CH provided members with details of the incident and provided context for members information.

CH noted that creating a small limit of exploitation was a purposeful tactic deployed to ensure officer safety.

What went well?

It was noted that the police had mobilised quickly and consideration had been given to staff welfare when conducting the operation.

Members felt that this was a well-managed incident in respect of the perimeter created during the operation.

Members were impressed with the language used by officers.

What did not go well?

A Panel member noted that until the first arrest had been made, there did not seem to be much happening. As such, the panel member felt that there did not appear to be a reasonable basis to warrant the arrest.

CH reminded members that the purpose of the operation was containment and significant offences involving the individuals had been committed during the day, which may explain why the arrest was made. CH noted that the main offenders were arrested during this operation.

Moreover, a Panel member felt that too much force was used to arrest one of the offenders involved in the disorder. It was noted that the offender had been taken down to the floor by officers and was felt that this was disproportionate.

In addition, it was noted that the offender had been asked to place their hands behind their back. However, whilst being asked to do this, it was noted that the officer was kneeling on the offender's bicep/back. As such, the member queried how the offender could have been expected to follow the officer's orders due to restricted movement.

CH shared the opinion that the officer was not kneeling on the back of the offender, but rather the shoulder and therefore, was a reasonable use of force. CH cited that the officer involved was a trainer, which was indicated by a specific mark on their uniform. However, it was acknowledged that this could negatively impact public perception. In addition, he noted that the offender was able to speak to officers which could indicate the use of force was reasonable. However, a member questioned whether this was an appropriate measure to use to determine whether the use of force was reasonable, particularly with consideration of a prior high-profile incident whereby this had not been a reliable indicator.

MH noted that he had recently attended police restraint training and in consideration of this, felt that the use of force in the incident was reasonable and appropriate restraining tactics used.

ACTION 16: CH to feedback members' comments regarding the officer's use of force in case 1 (kneeling on the back/shoulder region of the offender) and highlight how this could negatively impact public perception regarding the use of force.

*The Panel reviewed **UoF Incident 2** with the following outcomes:*

What did not go well?

Members noted that the offender had managed to escape the grip of officers and had been given leverage to move during the arrest. Therefore, it was felt that there was not enough force applied in this incident to control the situation.

MH felt that there should have been more than two officers deployed to this incident. The officer in the BWV was assaulted however, MH raised concern that the outcome of this incident could have been much more serious due to the lack of force adopted by officers.

CH informed members that under normal circumstances, only one officer would be deployed to incidents of this type. He expressed the view that the second officer had sought to utilise handcuffs too early as this limited the control of the situation. In addition, it was noted that there did not seem to be justification for the first officer to draw his taser. Finally, it was highlighted that whilst pain compliance was applied, this tactic did not always work on every individual.

A Panel member felt that the BWV was switched on slightly too late, as members were unable to review what had taken place before use of force was used.

Additional information

CH did not inform the panel of the suspected offence as he felt this may bias members views until the conclusion of the item when this was revealed.

*The Panel reviewed **UoF Incident 3** with the following outcomes:*

What went well?

Members felt that the use of force used in this case was reasonable. It was noted that officers were observant and had used the space well, as there was a table separating

officers from the offender. In addition, members praised the arresting officer as they had handcuffed the offender whilst standing.

Members noted that the perpetrator seemed to be agitated and as such, acknowledged that there was a risk of escalation. In consideration of this, the Panel felt the arrest was well-executed and praised the officers for luring the offender from the property prior to the arrest.

It was noted that professional language was used by officers.

What did not go well

The officer conducting the search of the offender did not utilise gloves. In addition, it was felt that they could have frisked the offender rather than patted him down.

A member felt that the officer conducting the search could have been more courteous by informing the offender that they were to conduct a search.

To ensure officer safety, MH felt that the search could have been conducted sooner. CH explained that a Section 136 search could only be conducted in a public space, as such officers had to remove the offender from the property before they could conduct the search. CH acknowledged that alternative legislation/powers may have been more appropriate to use in this incident rather than Section 136.

ACTION 17: CH to feedback members' comments regarding case 3.

The Panel reviewed **UoF Incident 4** with the following outcomes:

What went well?

Members felt the use of force when applying handcuffs was reasonable and that they were applied in a timely manner.

What did not go well?

A Panel member felt the language used by officers was cold and that the police could have shown more empathy in this case.

Additional information

CH noted that the offender in this case was experiencing a mental health crisis and was a high intensity caller. He informed the Panel that high intensity callers could call the police around 40-50 times a day and as such, can impactful upon resources.

The Panel reviewed **UoF Incident 5** with the following outcomes:

What did not go well?

Members felt that officers should have controlled the situation sooner and more efficiently, as the offender could have been a danger to themselves and others; it was noted that the offender had been allowed to walk out of the property they were in and that there were instances whereby the offender was wandering into the road. However, members felt that the offender seemed to be experiencing mental health crisis and as such, acknowledged the difficulties this presented for officers.

CH agreed that whilst use of force was reasonable, officers should have controlled the situation sooner.

This case raised difficult questions in respect of the level of force that should be applied when an offender is experiencing a mental health crisis.

Additional information

Panel members acknowledged that the offenders in three of the use of force cases reviewed in the meeting were experiencing mental health crisis. CH informed the panel that the Constabulary were part of the 'right care, right person' scheme; this requires control room operators to make a discretionary decision as to whether the individual/s requesting police assistance require a police response or the support of an alternative agency, in an attempt to ensure the right care is provided.

8. Stop and Search Data Update

Due to time constraints, panel members were unable to receive a stop and search data update. Members acknowledged the issues regarding time constraints earlier in the meeting and an action to review the meeting format was noted.

9. Ride Along Scheme Update

Item 9 was discussed earlier in the meeting.

10. Section 60 Authorities since last reported to the Panel

There were no Section 60 Authorities to review in the period since the last Panel meeting.

11. Complaints Data

CH explained to the Panel what would constitute a police complaint. In relation to the Police and Crime Commissioner's role in reviewing complaint cases, it was noted that whilst he is unable to become involved in operational policing matters, he does have oversight of police complaints and the process. In addition, it was noted that for some police complaints, the review body for complaint outcomes is the OPCC, dependent upon the nature of the complaint.

It was noted that out of the 486 complaints made in Q4, 5 complaints related to stop and search and 38 related to use of force. In comparison to Q1, it was noted that there had been a slight percentage increase in the number of stop and search and use of force complaints. However, the Panel expressed they felt assured that the numbers remained low.

ACTION 18: CH to liaise with Zahid Dudhia (Professional Standards Department) regarding the presentation of the complaints data to ensure it is reported to the panel in the most useful format.

ACTION 19: ALR, MH and CH to discuss members' comments regarding the ride-along scheme and concerns raised regarding mental health support (right care right person).

ACTION 20: CH to consider member attendance to the Stop and Search CPD day due to be held on the 15th November.

12. Date of next meeting (to be held at 1800 hours at Police HQ)

Wednesday, 15th January 2025