

AGENDA

Stop & Search Reference Group

Date | time 27/01/2021 | 4PM – 6PM | *Meeting called by* SSRG

Agenda

Time	Item	Owner
1600	Welcome	Chair
1610	Minutes of previous meeting	Chair
1620	Review of Forms	Georgia
1740	Police update	Roger
1750	Rules of Engagement	Phanuel
1755	Any other business	Chair
1800	Close	All

Franstine Jones

Chair – SSRG

Phanuel deputising for Franstine

Apologies – Franstine Jones and Audrey Ludwig

Attendees: Simon Burton; Luke Hall; Tom Potter; Salmon Roger; Georgia-Mae Chung; Michelle Plume; Philip Welham; Sue Wardell; Tim Passmore; Keiran Manners; David Brown; Andrew Martin; Liz Harlaar; Colin Kreidewolf; Simon Mills; Robert Jones; Piers Harrison-Reid; Carlos Walker; Sharon O'Donnel.

Preliminary Matters

PM – No need to review meetings of minutes

PM – recalls the privileged nature of the information discussed and the rule of en camera.

257684

Newmarket, CB8

Issue raised by SLC GMC: Time of night dispositive on requirement to search.

Andrew Martin: Doesn't think that the time of night should be the main reason for the search. Separate process for bodyworn footage.

RS: Was body worn cam. Has reviewed. Clarity on intelligence. 1 of 3. 2 of the individuals had extensive related drug related experience. Night time requirement was irrelevant according to the officer. Indicates smell of cannabis was decisive.

TP: Can we look into use of bodyworn cam as part of the meeting?

PM: happy to take action for interested parties to watch footage on a specific case.

SM: form requirements, new policy – should always be available for stop and search.

257811

GMC: good use of intelligence; clear grounds; proactive policing.

PM: recalls importance of recognising good policing. Her to praise as well as criticise.

RJ: reason to search is about the likelihood of finding something at that time. Notes the intelligence is from a week ago. Intelligence in drugs cases generally stronger.

LH: Please feedback to constable for praise.

SR: officer and supervisor has already had feedback. Dems footage was good too.

257832

GMC: incomplete grounds, subjective terms 'suspicious'.

AM: training is to avoid subjective terms – 'suspicious' is not good.

RS: Background is given. Scorpion officers, intelligence on the vehicle. Saw package taken out of boot. Then identified themselves and men ran. Both arrested. 140 wraps found. Driver was positive for cocaine. Satisfied grounds were lawful, but written grounds insufficient.

TP: How do examples like this get used in training?

RS: Intelligence based stops don't get used too much in training because of sensitivity.

PM: where are the outcomes?

RS: ICT related issue. Two different systems.

258153

GMC: 'looking "foreign"'. Description link to the search was flimsy. Blue tracksuit and foreign – too vague.

PM: very uncomfortable, vagueness of description could lead to discriminatory use of police powers.

CW: Exactly the kind of thing this group was set up to stamp out. Who signed this off and were they pulled up on the wording?

AM: Agree. This is concerning. First use of the foreign not 'wrong' because member of the public. Officer should have narrowed 'foreign' rather than taking it and identifying a person on this very vague basis. Notes this is first one in the while.

RS: control did ask for more info but didn't get anything more. Officer was acting on partial evidence. Is followed up by inspector, he was pulled up on it. Officer understood the description was vague – they perhaps should have noted this in their grounds to show proportionality.

LH: should have been detained until better description obtained? Then stop and searched.

RS: stop and search can also be used to disprove crime. Also need to not detain anyone longer than is necessary.

TP: disappointed. 'What on earth does that mean' i.e. foreign. Thinks it shouldn't appear on the grounds or at least should be signified as such. Officer needs to think about how it comes across.

PM: acknowledge that police need to act as a sieve for the prejudices of the public, their exercise of power is done on the basis of objectivity.

LH: Echoes PM

DB: Description of the phone could be useful in this instance.

RS: telephone number was used to verify. Nothing found – NFA!!.

GMC: Leaving aside word 'foregin' is there reasonable suspicion?

RS: There's learning to be had. The word 'foreign' should never have really gone over the radio, great for defence barrister. Proximity is good plus blue tracksuit probably justifies reasonable suspicion.

PM: Accepts public may want rapid searches to be carried out.

AM: Take away the 'foreign' probably isn't sufficient identification to justify a grounds. Worse, if removed the bad element then the correct justifications may have been present.

SM: blue tracksuit – similar to hooded top. Does say 'blue matching tracksuit' which has some significance.

GMC: accepts that is some specificity which is useful.

CW: the 'foreign' is the issue. NFA is fairly indicative of the problem. Use of 'foreign' is indicative of a wider mindset.

RS: Outcome not relevant to the grounds for search. Then obfuscates CW argument by turning to intel on gang related activities with the person who was searched. Explains that officers are trained on mediating unconscious bias.

PM: how might this form part of learning.

RS: in process of bringing commentary style workshop to officers to re-fresh out and about policing that hasn't gone so well in the community.

256296

GMC: grounds are totally inadequate. Nothing seems to substantiate the search.

PM: this is a very bad form.

RS: Officer has inputted the grounds into the wrong box so it hasn't displayed properly.

Called to location to man with blood on. Male matched with blood on him. Intelligence 6 months old. Was intoxicated.

Supervisor picked up on it.

PM: It is a procedural requirement for the form to be correct. 6 month gap not satisfactory. Reasonable suspicion only applies to the present in the circumstances given. This kind of policy is not conducive to rehabilitation. Consent to policing is conditional on the police actually policing well and being observable as – this includes the grounds form.

DB: not sure how past intelligence related to current stop search. Link needs to be clear for it to bring any level of justification.

SM: Week 2 of officer in the job.

AM: it's easy to justify a search after because it is post-facto. Good sign is the speed at which it was updated – officer had more info at the time compared to what appeared on the form.

CW: Did the inspector have the other info to be signed off?

AM: it includes the additional info when the inspector signs off.

SM: this officer would have had a tutor standing next to them at the time. So there would have been more oversight in this case.

257796

GMC: intelligence – no indication of how recent and reliable. Changing direction/looking in windows is not adequate for suspicious.

RS: town centre but residential area.

PM: 'peeping throw a window'. Shouldn't be a stop and search matter in the first instance. Should be a prompt for proactive policing not for stop and search.

LH: front line officer, with the area, and anti-police justifies stop and search.

AM: not sure what the link is between the behaviour and the intelligence.

RS: officer acknowledges – red-herring looking in the window. Officer put it in because it why it started the interaction. Mainly a welfare stop at the start. Then drive off and realise she's run off. That was suspicious. No explanation. At this point police intervention was justified.

TP: behavioural detection is hard to put down on the form. Do we get feedback post meeting at ISCRE?

PM: To a point. Would like to know more about what forms part of the training in the future.

GMC: questions 'anti police' what does this mean?

RJ: glad to see 'anti police' raised. Goes against basis of trust and grounds. That part not helpful. Training and skill in stop and search – doing a sensitive, safe, legal way – takes at least a year of development to become competent. Suffolk now has training from CT for behaviour and identifying people in groups.

PM: what does the training look like for new officers?

RJ: needs to be developed alongside on street policing. Notes new officers seem to more open and less biased. Main development is the behavioural aspect.

OE: Asks for more explanation of use of CT policing on general public.

RJ: Mainly focuses on suspicious behaviour in crowded places that are vulnerable. Looks for hostile reconnaissance – focus on people recc'ing hostile activity. Engagement is also a focus with more thorough explanation and safeguarding.

OE: Reassured by explanation but highlights the discrimination potential of CT is well documented by human rights organisations.

SM: New officers need to be in the field to learn about doing it properly. Teaching is different now, covid environment is fettering this a little bit. Tutor constables are there and are useful. Supervisor mechanism is there now.

PM: training is important and withdrawing it could do more damage – balancing short terms minor errors with later major errors.

SR: there is an assessment and support process for two years to allow officer to develop to a good level so officer are ready to engage with the public.

256279

GMC: grounds are ok but a complaint was made.

PM: Grounds – 'smell of cannabis'.

AM: There are additional behaviours. 'Intoxication' can mean drugs as well. So there is unpredictable behaviour plus intoxication. Satisfied with ground note.

PM: is this a good use of resources? Public safety?

RJ: candidly, a confident yes. Cannabis use makes people feel unsafe. This changes how safe they feel. Brings up serious and organised crime, goes very closely with cannabis supply. AM did a survey on whether they should be tackling drug use. People aren't doing nearly enough according to survey by police on this kind of thing.

“Out of the Survey, 168 out of 415 young persons, said that Drugs was the single biggest issue facing young people in Suffolk. The next was gangs, with a much lower return of 29”

TP: public bring up issue of drugs and police intervention in it time and time again. Police need to be seen to act.

PM: accepts that dealing and possession go hand in hand.

LH: Nicking people for possession is a way of getting intelligence. Can get phone to get numbers.

SR: body worn cam was good. Substantive Sergeant had professional standards view the footage. RS view is a very professional search. He had to restrain the individual. Has consistently provided grounds to individual. Talked him down. Notes this is separate to the grounds but the way in which the search was completed was exemplary.

Complaint – NFA.

Lavender Hill

PM: Lavender Hill event. IOPC have now said NFA. Asks for update.

RJ: have feedback to the two officers. Will contact the family to see their view. Good it got investigated. Important to acknowledge the 'bandwagon' comment was particularly bad.

PM: press indicates the family are disappointed. Press seems to indicate issue is dismissed which may make some of the public feel like the problem is disregarded.

CW: Why has it taken so long? Time makes the community less trustful? Can't see the report. What were the findings? Lack of confidence in the independence.

RJ: Report is published. Independence issue is acknowledged. Investigation found the arrest was not racially motivated. Report found the stop and search was less professional that it should have been.

CW: 6 million hits in context of BLM. From his perspective, the video is 'how not to do a stop' so how can it be found to be lawful? This video has brought me back to the group. Feels they need to be re-trained. Is a bad stop and the public will see it.

RJ: read the report, happy to have a discussion about it afterwards. Police do not control the investigation.

CW: think about the community impact. The community have seen the video, most haven't seen the report. Feels like this is a good piece of 'how not to do it' training material. It has made Suffolk Constabulary look bad.

TP: The IOPC said they would take 3 months. All evidence was given in a timely manner by police. Should have been out late sept/early oct. time was unacceptable. Personal view is the IOPC let us down. Covid not a justifiable excuse.

RJ: publishing is on IOPC. Number of hits – they want to recruit police and want to engage – this puts off recruitment. Videos don't show the full picture. Echoes the impact on the police officers.

CW: are you happy with the video?

RJ: No. The impact is really harmful. I have to keep an impartial view, and what the report says objectively about the acts of the officers.

CW: Impact is important. Put back years of community work and the work of this reference group. Doesn't seem to be understood by senior policing. Looking to senior officer to stop overlooking the huge subjective view it was car crash of a stop. This was bigger than Suffolk. How are we going to repair this?

PM: might need for us to talk more openly about the incident.

TP: will take an **action** to talk to RJ on the public interests issue of this matter.

PM Rules of Engagement

Will update more substantively in the near future. Looking forward to airing views of young people.

Update from Roger Salmon

Ops Servator.- mainly covered by RJ in response to OE earlier.

Final matters

Next meeting – last Weds of March.