

MINUTES

Stop and Search Reference Group Meeting Minutes

Date | time 3/31/2021 4:00 PM | *Meeting called by* SSRG | *Venue:* Online (Microsoft Teams Meeting)

In Attendance

Apologies

Franstine Jones – Chair Phanuel Mutumburi Georgia-Mae Chung David Browne Roger Salmon Robert Jones Kate Fitzsimmons James Vanstone Michelle Plume Tim Passmore Luke Hall Audrey Ludwig Ruby Peacock Elisha Soanes Richard Hinton Phil Welham Sherine Kerr Kim Butler Tom Potter	
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Welcome

Chair welcomed all.

Explanation of Stop and Search and Dip sampling

PM talked about the purpose of the SSRG meetings. Purpose of the discussion is to provide a community perspective to the Stop and Search process and inform good practice for the future, ultimately leading to reduction in the disproportionate use of the tool.

GMC spoke about GOWISELY. She then explained that, as part of the dip-sampling method used to select forms, she randomly picks

- 33% of BAME forms
- 10% of W1 forms
- 33% of any other forms
- 33% of not stated forms

We selected:

- BAME: 32 from 96
- White British: 48 from 438
- White Other: 30 from 91
- Not Stated – 52 from 158

From these, she sends queries to Suffolk Police for comments. Based on the responses from the police she brings between 5 and 8 good/bad forms back to the meeting.

She then took everyone through the structure of the form and explained the parts that we would be focusing on as part of the meeting.

Review of Forms

Form 259999 – Concerns from the meeting that the grounds are limited. The supervisor’s comments shed some light on what should have been included. It was said that it needed to contain more detail on why the vehicle was stopped and there was too much emphasis on the smell of cannabis. Moreover, it was suggested that the subject’s behaviour should have been elaborated on more and PNC and previous markers should not be used on their own to justify a stop search because the intelligence needs to be recent. All of the separate parts of the grounds were too weak. It was clarified that there was nothing found during the search.

Police response: It was clarified that the reference to Tier 2 related to the subject potentially being in an area that they shouldn’t have been in during the pandemic because of government restrictions. They acknowledged that the grounds could have been described better, as per the supervisor’s comments but said that altogether they were confident that it was a good stop search.

Concerns were raised about the reliance on the smell of cannabis and how much it could be used. There was debate over whether officers should be expected to ask questions and perform stop searches in the circumstances where there was the smell of cannabis from a group of people in an isolated place in specific circumstances. There was concern about officers being encouraged to put hands in pockets arbitrarily.

There was also concern about the focus on the car looking in disrepair and whether that could amount to potential discrimination. The point was also made that the sequence of events needs to be clearer. The point was also raised about whether doing a drug tested would have boosted credibility.

Form 259677 – GMC said that she thought it was a good stop and very thorough because:

1. It specifies the report that the officer was responding to and details the contents of it.
2. The officer then gives a very thorough description which was provided by the victim and talks about how the subject matched that description (although I appreciate that such a vivid description, including accents and a stolen item especially, isn’t always possible and a lot of it will be circumstantial).
3. The officer also notes the time difference between the report and when the subject was searched, which is something that I have noted is often missed.
4. It also says that he is known to the police for other offences. The only thing I can think of that could be improved about that is saying how recent those offences were.

The group agreed. AL asked if the police could report back to the officer that we have reported on this form positively. AL also confirmed that you would not expect an officer to use phrases such as “chav” unless it was a direct quote from members of the public.

Form 259723 – Concerns were raised that the grounds were far too short. The one sentence was not enough for reasonable grounds. Examples of things that should have been included were:

1. How recent and reliable the intelligence is that drug taking has taken place in the area
2. How the subject who was stopped and searched linked to this intelligence (what made the officer suspicious that they were committing an offence on this occasion).

It was stated that the relevant officer was not serving in Suffolk Police anymore. The body worn video and search were reviewed. It transpired that the officer had moved on in the sense that they had

transferred. Confirmed that there was a follow up taking place to check that the other constabulary were aware. They were encouraged to do an investigation into whether the officer had done other stop searches too. RS said that he was looking into that kind of thing now with Caroline.

PM clarified that being in an area that is known for criminality is not grounds for stop and search. People should not be targeted for this.

Form 260917 – Concerns were raised that the grounds need better wording and that they were quite vague and unclear. For instance, the subject was described as “taking strange walking routes” and “interacting with pupils” without any elaboration. They were also described as looking shifty around police presence which isn’t, by itself, sufficient grounds because it is quite common. It was suggested that the officer needed to focus on explaining why an offence was suspected on this occasion.

Police clarified what the situation was and acknowledged that the grounds recorded didn’t reflect the whole picture. Concern was raised about the disconnect between the grounds in the form and the actual information available. There was also concern raised about stopping someone in an area that is seen as a ‘hot spot’ when the subject actually just happens to live in the area.

A conversation was had about whether people who had been stopped and searched appreciated police being out in the community using their powers. There was concern about how it could make some people lose trust if they go through the burdensome process of being searched when there is no specific intelligence about them.

Form 258372 – A concern was raised that there was heavy reliance on cannabis that was unnecessary because the supervisor’s comments contained stronger grounds where the subject admitted to having just smoked cannabis. Police acknowledged that there could have been more information included on the form.

It was raised that training needs to be improved so the strongest grounds are included on the form.

Form 258564 – Comment was made that the grounds were good in how they made clear what the recent intelligence was and the extent of it but the rest of the contents of the grounds could be improved. For instance, the description that was mentioned should have been described explicitly and it should have been explained as to how it matched the subject. The officer also should have talked about the time difference between when the description was given and when the subject was searched. It was emphasized that the subject being avoidant and illusive when they are engaged with isn’t necessarily suspicious in itself. The police acknowledged that the grounds were lacking.

Concern raised that powers are being used when there is no legal requirement for subjects to comply with it e.g. stop and account/interview.

PM talks about the potential of restructuring the meeting so that GMC explains the form, then there is discussion, and then RS gives his comments. He also speaks about how the above form makes him think of himself coming out of the office and getting into the car after work.

TP raised the issue of whether ISCRE is given evidence about the training that is given by the police as a result of comments at the meeting. It is confirmed that this would be useful.

Update on use of Section 60

RS – Confirmed that this was issued on Friday 19th into Saturday 20th March. He doesn’t believe there was any stop search conducted as a result. They did interact with ISCRE when the section 60 was being put in place to make sure that everything was being done appropriately.

PM – Agreed protocol in Suffolk is ISCRE is contacted by the constabulary before the section 60 is issued. He confirmed that they were contacted, and they did have a conversation in this instance.

ISCRE were concerned about the area they were talking about and the fact that it was a weekend and they wanted to make sure there wouldn't be sweeps of innocent people being caught up in this. Reassurance was given that the police were clear what they were looking for in this instance and it wasn't just going to be random stopping of individuals.

Any Other Business

FJ – Brings up police complaints. There have been 2 occasions where she has contacted RJ about things that have happened in the community. She says that she has done it in multiple ways:

1. There was a hate crime where police were called and didn't turn up, so she went directly to RJ.
2. A member of public came to her to make a complaint about stop and search and she did it through the website. He was contacted at the beginning of February to say that the police had received the complaint, but he hasn't heard anything since.
3. Another complaint about mother and son sitting in a car after shopping when they were spoken to by police officers driving past. Because of the above examples, she now doesn't know what method she should tell people to make the complaint through.

RJ – Thinks it would be useful to invite someone from professional standards to look at this. Says that there are staffing issues and they acknowledge that the timeliness of Suffolk Police responding to complaints at the moment is poor and that they will take steps to improve this.

RS – Explains the backlogged complaints, some of which feature stop and search and talks. He says that he has set up a meeting with Phaniel to try to start going through some of these.

TP – Encourages people to talk to the PCC office to see if they can help to follow it up.

FJ – Talks about how people will come to talk to her and not to the police. She wants to be able to let people know what they should expect when they make a complaint about the police.

AL – Mentions that the Law Centre regularly help people with complaints to the police. She says she is happy to help those who have not yet made complaints. Says that the delay could be the subject of a second complaint.

LH – Mentions that he was present at one of the incidents.

AL – Says that body worn video will be deleted after 28 days so the police need to be contacted straight away. Says that it should be flagged up by FJ in know your rights meetings.

DB – Talks about an incident when the police turned up later than they should have done but when they did arrive the policewoman was brilliant.

RS – If it is a 101 call to report hate crime that will get higher priority than pretty much anything else (unless it is 999).

AL – How do we ensure that the body worn video has actually been kept if the delay is so great between acknowledgement that it has been and the police being asked to keep it? Wanting to keep body worn video within 28 days but complaint not being acknowledged for two months? Concern that there are two separate departments and timescales are not operating accordingly.

RS – Expectation would be that if you had a conversation with them at that time, the expectation would be that you would then do it. However, procedure like that isn't really his area.

TP – Says he will come back on this, as it is important and part of the reason for council tax increase.

RS – Training coming up for tutor constables course. As part of that he would like small recordings of some community voices and taking some of the stuff that we had here, like Phaniel's example of himself. Puts email address in comments section for if anyone is interested.

FJ – Addresses the recent report today and talks about fear that some organisations will use that as their guide to not do anything about race equality.