

# **VICE CHAIRS' SCRUTINY OF POLICE POWERS PANEL ANNUAL REPORT**

**JUNE 2017 – JULY 2018**

The Scrutiny of Police Powers Panel (the Panel) acts as a critical friend, to scrutinise as lay people the use by the Avon and Somerset Police (the Police) of their powers and to ensure that there is no bias or discrimination.

The first ever meeting of the Panel took place on 13/06/17, when the 18 Panel members received a briefing from the Office of the Police and Crime Commissioner and the Police, on the use of Stop and Search and Taser, before scrutinising six cases.

The Panel has subsequently met quarterly. At each meeting the Police have made a presentation in the first hour of the meeting, before the Panel scrutinises cases. As the Panel has developed experience and confidence, members have asked more questions and challenged assumptions arising from

- a) the case reviews
- b) the Police replies to our questions and
- c) events arising between meetings.

Between the quarterly meetings, the Chair and Vice Chairs have met to discuss developments and set agendas. We also met the Chief Constable Andy Marsh, and the Deputy Chief Constable, Steve Cullen, on 05/02/18. The discussions included:

- a) institutional racism
- b) the use of Body Worn Video (BWV)
- c) Stop and Search and the issue of disproportionality
- d) the role of the Panel in stimulating organisational learning and improvement.

## **BODY WORN VIDEO (BWV)**

The Panel saw from the outset that BWV footage was essential for an effective scrutiny of police powers. In addition there are of course many other benefits of BWV, including providing evidence, illustrating excellent police practice and rebutting complaints. We were therefore surprised at our June 2017 meeting that only 10% of the Stop and Search cases available for review had BWV footage. Our enquiries established that this was partly a technical issue and partly a failure by individual officers. By September 2017 the percentage of Stop and Search with BWV footage had increased to 59.64% and in July 2018 it was 73.66%.

The monthly progression of Stop and Search with BWV footage is tabled below:

Stop and Search Created Month/Year	Stop & Search BWC recorded Yes	Stop Search count	%
Sep 2017	198	332	59.64%
Oct 2017	195	344	56.69%
Nov 2017	217	336	64.58%
Dec 2017	221	351	62.69%
Jan 2018	242	372	65.05%
Feb 2018	271	373	72.65%
Mar 2018	220	284	77.46%
Apr 2018	256	351	72.93%
May 2018	293	398	73.62%
Jun 2018	261	339	76.99%
<b>Sum:</b>	<b>2374</b>	<b>3480</b>	<b>68.22%</b>

We have asked for BWV usage figures for Taser, but for technical reasons this information is not available until a system amendment later this year. This is unfortunate, when the use of Taser is particularly in the public eye. One can but hope that the percentage of Taser footage is very high.

### **STOP AND SEARCH**

Stop and Search is a sensitive subject in the community. We have looked closely at

- a) the location of Stop and Search incidents
- b) the ethnicity of those searched
- c) Black and Minority Ethnic proportionality rates
- d) the percentage of positive outcomes
- e) the percentage of searches which are the result of intelligence.

One of the cases we reviewed and which caused us concern was published in our quarterly report and resulted in a press story headed 'Fears man was strip searched in Bristol public toilet by police officers because "he was black"'. The response from the Police included the following:

'We want to be as open and transparent as possible about our use of power, so the independent scrutiny is an important way of us showing how and why we can use them through the evaluation of actual incidents. As a learning organisation we are always striving to improve, so we greatly value the feedback from the Panel members.'

We do understand the necessity for and the benefits of Stop and Search and hope that our observations are helpful to assist the Police to avoid or reduce any adverse impact on local communities. We understand

that new Stop and Search training began in April and is being 'rolled out' across the Police during this summer and includes the use of BWV, the impact on individuals stopped and the perception of Stop and Search within communities.

### **TASERS**

We have had two presentations from Karl Waltho, Taser Training Lead, together with the opportunity to comment on Taser Procedural Guidance. Our comments included:

- a) the importance of BWV when using a Taser
- b) the benefits of quality assurance.

Following the Taser on a prominent member of the public on 14/01/17, the Police commissioned an independent review of Taser operations. The Panel looks forward to considering this review.

Panel members will have the opportunity to observe Taser training sessions as of September.

### **SPIT/BITE GUARDS**

The guards were introduced in January 2018. CI Mark Runacres attended our May meeting to report on the 43 recorded uses since January and to answer our questions. Only 5 of these cases did not have BWV or custody CCTV footage.

### **BIAS/DISCRIMINATION**

Adeela Shafi and David Woodward met with CI Paul Wigginton on 19/07/18 specifically to discuss bias and discrimination as a key piece of work for the Panel. We are well aware that the tragic case of Mr Ebrahimi and a finding that the Police was institutionally racist has had a most significant impact on the Police's standing in our communities. We explained our wish to understand not only what initiatives are in place to reduce bias/discrimination, but how their success or otherwise is charted and measured. This is a work in progress to be put to the Panel at the September meeting.

### **PANEL MEETINGS AND ORGANISATIONAL LEARNING**

Our scrutiny has provided the Police with learning opportunities, both for individual officers and for the wider organisation. It should certainly not be assumed, that our observations are all negative or critical. Indeed, that is definitely not the case. We regularly express our admiration for the way officers handle difficult situations. Often the officer's approach, tone of voice, body language, patience and commitment to defusing a difficult situation are a great benefit to both the individual concerned and to the community's perception of the Police.

Panel meetings, cases reviewed and member attendees:

<b>Panel Meeting</b>	<b>Cases reviewed</b>	<b>Attendees</b>
2017 June	6	18
September	21	12
December	39	15
2018 February	22	11
May	35	12

The Chair stood down following the February 2018 meeting and Adeela Shafi and David Woodward as Vice Chairs have ensured a continued development of the work of the Panel and organisation of the May and September meetings. We have received outstanding support and guidance from Kathryn Palmer of the OPCC.

In its role as a “critical friend”, the Panel seeks to contribute to organisational learning for the Police. Examples from the May Report are as follows:

#### **TASER**

- As part of de- escalation informing the individual that the Taser is being reholstered.

#### **STOP AND SEARCH**

- Improving the quality of reporting.
- Better choice of language/expressions to avoid an impression of bias.
- Fuller consideration of the impact on the individual and the community of a very public and indiscrete search.

#### **BWV**

- Provide/improve the commentary and camera angle.
- All officers at scene to use their BWV.
- Use of BWV as the default option.

#### **OTHER**

- Understanding of and deployment of alternative strategies when dealing with mental health issues.
- Recognising the need to modify language and delivery when English is not the individual’s first language.

13<sup>th</sup> August 2018

David Woodward, Vice Chair

Adeela Shafi, Vice Chair