

Scrutiny of Police Powers Panel

Case Review Report

September 2020

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Scrutiny of Police Powers Panel

22 September 2020 Remote Panel meeting after member reviews

Welcome to attendees:

7 of the 15 members attended the 14th *Scrutiny of Police Powers* Panel meeting.

Others in attendance: IOPC Regional Director and IOPC Engagement Officer.

10 Police Officers/Staff, including Assistant Chief Constable, Police Federation and UNISON representatives, as a standing invitation, Neighbourhoods & Partnerships Chief Inspector, Force Incident Manager Inspector (Stop and Search presenter), Taser Lead Chief Inspector (presenter), Chief Officer Group Inspector managing Taser Trainers, Operational Training Sergeant, Taser Lead Trainer, and Outreach & Diversity Team member.

Thank you to Chair and Vice Chair for re-standing - and being accepted - at the **Annual election**.

Thank you to all members and for the **Annual review of the Panel's Terms of Reference**.

Thank you to the Panel member (previous Vice Chair) for the **Lammy Review Chair's update**.

Constabulary updates:

From Chief Inspector Wigginton on **policing Covid-19 Regulations and the latest Rule of 6**.

From Inspector Hayward-Melen on **Stop and Search and disproportionality**.

From Chief Inspector Blatchford on **Taser deployment and disproportionality**.

Members have observed **de-escalation training** for Frontline Officers and welcome further updates.

Theme: Disproportionality

The theme for this Panel scrutiny is disproportionality. Panel members reviewed the Body Worn Video (BWV) footage for cases where the subject of a Stop Search or the Taser deployment is Black, Asian or a minority ethnicity (BAME). Stop and Search disproportionality is highest in the county of Somerset and so this geographical area has been chosen. To obtain the number of cases required, Taser deployment incidents are for the last 12 months, from August 2019. Stop Search cases have been selected since April 2020, to include the first full month of Covid-19 lockdown.

53 case files were reviewed

remotely by 3 sub-groups of members during August 2020, in advance of this 22nd September 2020 online Panel meeting. These 53 cases include 1 high profile case in Bristol reviewed by all 3 sub-groups, totalling **152 feedback forms completed**.

Summary of member feedback:

Members' positive feedback includes compliments to Officers for exemplary handling of some incidents, professional, polite and courteous with members of the public detained.

Members' concerns includes suggested Officer training and moderation of language as well as Taser deployment being an earlier tool than previous cases reviewed. Also querying the use of handcuffs for some not all people stopped and searched.

Reading pack: Documents for Panel members for this meeting include:

- Chair and Vice Chair's briefing note
- Stop and Search Quarterly Bulletin (Apr-Jun 2020).
- Disproportionality themed documents for Stop Search and for Taser deployment.
- **The Panel reports from the last meeting** – See the [PCC website](#) and the Panel's [Reports section](#).

Avon and Somerset Constabulary's Use of Force report is published on the [Police website](#).

Stop and Search and body worn video (BWV) statistics – see **Appendix 2**.

Taser and body worn video data – see **Appendix 3**.

Case reviews: See: **Appendix 1 for a case summaries and feedback.**

Appendix 1: Summary of the reviewed cases

1. Taser deployment
2. Stop and search
3. High profile incident

PANEL CASE REVIEWS and CONSTABULARY RESPONSES

The member feedback form's 5 questions are all either blank or positive unless stated otherwise:

1. If force was used, was it appropriate?
2. Did the Police make correct decisions throughout this episode?
3. Was the Police behaviour free from any stereotyping or assumptions?
4. Was the incident free from demonstrable discriminatory behaviour?
5. Does the behaviour need further investigation?

1. Taser deployment (27 cases selected for review)

Case 1: Use of Force – Taser drawn – 22/5/2020. 17:23hrs. Yeovil (BWV 20.36 minutes).

Background: Group of people stated that there is someone staying in the flat who is involved in county lines.

Member feedback.

Positive: The incident was dealt with fairly and with no sign of prejudice. Professional calm respectful. Good explication of the procedures and dealt in a calm manner.

Question and concern:

When the suspect asked if he was being arrested and on what grounds, the officer replied

"We'll have to wait and see" and "I'll tell you in a minute."

Is this correct procedure? Surely it would have been more appropriate to re-state he was being detained for a search, rather than give the impression of this being a fishing exercise?

Constabulary response: The panel feedback is noted with thanks regarding the professional approach of the officers. Regarding the panel question, this was a conversation between the detained male and officers. At this time, the officers were in radio contact with officers inside the address and were clarifying what offences there were. The comments seem to have been made in genuine answer to the males question as opposed to repeating what they had already informed him – The panel views have been noted.

Case 2: Use of Force – Taser red dot – 29/5/2020 21:13hrs. Weston-super-Mare.

Background: Officers speak to suspected female victim after a report of an assault.

Positive feedback:

This was a very disturbed individual who posed a serious risk to himself and others. Considering the risk and persistent threats being made, the officers dealt with this situation well.

Excellent control of aggressive man who tried to provoke officers. His safety and that of officers achieved. Spit and Bite guard as well as leg restraints are used. It was difficult to get the suspect to the Police vehicle and he was carried to Police van. One officer took control and communicated with him throughout.

Constabulary response: The positive comments in relation to the officers' approach to this difficult situation are noted. This has been fed back to the relevant officers.

Case 3: Use of Force – Taser fired 9/7/2020, 12:23. Taunton (also reviewed at Panel meeting).

Background: Intelligence received that a vehicle (make, model and colour provided) containing a male was on route to a location to deal drugs. Vehicle sighted by Police Officers and the male runs off through the park.

Positive feedback:

The female officer dealt with the female suspect very well, and showed concern for her welfare.

Good person skills and athleticism.

Member concerns:

There was no BWV footage for members to review from the officer who was speaking to the male suspect at the car, so it is not possible to determine whether there was any stereotyping or discriminatory behaviour.

The female police officer re-Tasered the arrested man (on the floor) even though he did not make an attempt to get up. He was only shifting. His body was in the same position as when she instructed him not to move. The Panel member thinks the female Officer was in a heightened state and reacted due to being on her own. The female Officer also screamed instructions a couple of times which leads the member to the judgement the Officer was losing control.

Questions:

1. It is unclear why the male suspect ran. Was he in possession of drugs?

During the Panel meeting, members asked about the success rate of Taser firing when the suspect is running and a distance away. The Taser Lead Trainer advised that Taser firing can reach 7.6 metres, with the optimal distance being 4-5 metres. The Officer is in control and asks the subject to cross their legs and put their arms out to the side, to slow down the person if they attempt to stand up.

Operational learning point: It may be beneficial for the female Officer to have some further training and watch examples of cases which show a controlled voice in similar situations.

Feedback from 3 Panel members:

1. If force was used, was it appropriate? **No** (2 members), Yes (1 member).
2. Did the Police make correct decisions throughout this episode? **No** (1), Yes (1), Unsure (1).
3. Was the Police behaviour free from any stereotyping or assumptions? Yes (2), Unsure (1).
4. Was the incident free from demonstrable discriminatory behaviour? Yes (2), Unsure (1).
5. Does the behaviour need further investigation? **Yes** (1), No (1), Unsure (1).

Constabulary response: This incident was reviewed during the panel meeting. It was clear from evidence available that the officer was concerned with the male apparently ignoring instructions and potentially attempting to get back up to attack or escape – this was in line with the input from training.

Case 4: Use of Force – Taser drawn (holster unclipped) – 21/07/2020. 19:51hrs. Weston-s-Mare.

Background: Report of a bicycle stolen at knife point. Description of bike received. Offenders location provided in live-time via the Police Call Handler.

Positive feedback: Officers dealt with the suspect fairly.

Question: Why did the Officer shout “Taser” when 40 yards away and the suspect was cycling off?

Constabulary response: The panel comments are noted with thanks. The officers shouts “Taser, stay where you are” in an attempt to stop the male, however, the male continues to cycle away.

Case 5: Use of Force – Taser aimed – 1/5/2020. 16:17hrs. Chard, Somerset

Background: Intelligence about County Lines. A Police visit a vulnerable victim.

Member concerns: Stop and Search GOWISELY items (see Report section 2 below) are not stated. The Officer didn't state the grounds for search, simply saying "My mate is going to search you alright". The reason for the search wasn't given until several minutes later and only after the suspect asked why he was being searched.

In addition, the Officer didn't state why he was being detained or arrested until much later.

Question: Does a section 23 Misuse of Drugs Act (MDA) search allow for an extended search of a property if a person is suspected of being in possession, but no drugs were found? (14:11 refers).

Operational learning point: Officers need to be reminded to state the reason for being detained and the reason for search beforehand, not afterwards.

Constabulary response: The panel comments are noted in relation to the apparent absence of GOWISELY along with accompanying grounds. In relation to section 23 Misuse of Drugs Act, this states:

“This power may be exercised anywhere, including in any premises, provided the officer is lawfully on those premises or is there with the consent of the owner or occupier. It doesn't provide a power to search any other rooms in a premises without consent except that in which the officer is in. To enter any other rooms a warrant must be obtained.”

The BWV seems to indicate a full search of the premises was to take place which would not be in line with this specific power. As such a debrief will be conducted in relation to this incident to identify any appropriate learning.

Case 6: Use of Force – Taser red dot – 19/3/2020. 20:14hrs. Taunton.

Background: Report to Police from a person who witnessed a female dealing drugs to 4 males and there is money and drugs at this specified location.

Positive feedback: Considering the second suspect remained hidden for almost 20 minutes, the Officer had justifiable reason to believe the suspect was a threat. The officer dealt with the suspect firmly but fairly.

The Officer with the Taser is very patient whilst deploying the Taser when the male is persistently mouthy and irritating.

Member concern: The member felt the arresting Officer with the Taser kept the Taser in the persons back for a longer length of time than necessary. The Sergeant stepped in and talked to the man as the Officer and the man were at stale-mate.

Question: Should Officers have been surprised to find a man under the bed 20 minutes after their search of small room began?

Operational learning point: Compliments. It is good to see the officer had turned on his BWV whilst in the Police car. This added good context and history of the stop & search. This is becoming more common place and should be used as operational learning.

Constabulary response: The panel comments are noted with thanks along with the positive feedback about the officer's patient approach. I note one members concern about the length of time the Taser

was held against the males back. It must be noted that the male was not following the instructions of the Taser officer after being found hiding under the bed and was deliberately frustrating the search taking place.

The positive points around the early use of BWV is really pleasing and forms part of our common themes. This feedback has been provided to the relevant officer.

Case 7: Use of Force – Taser red dot – 17/3/2020. 17:32 hrs. Weston-super-Mare.

Background: Reports and concern for occupant male with knife seen to attend an address. Blood on the front door.

Compliments to the Officers. All Officers involved dealt with the incident professionally and calmly considering the suspect was reported as being armed. Clear instructions from the Taser Officer.

This is a good example of effective Stop and Search and the Officers involved should be commended on their conduct.

Constabulary response: Panel comments are noted with thanks. Positive feedback has been passed to the relevant officers.

Case 8: Use of Force – Taser aimed – 17/3/2020. 14:12 hrs. Weston-super-Mare.

Background: Phone call to Police from a pregnant female reporting that she has been assaulted by her partner.

Member compliments to Officers: Once Officers were in the property and the suspect was under control, the situation de-escalated considerably. Control was maintained and the suspect was treated with respect, considering the possibility that he was armed.

After being handcuffed the suspect becomes agitated but Officers demonstrate excellent de-escalation by listening, trading a cigarette for him, calming him down.

The officers went to great lengths to ensure the man was well enough to be arrested and had calmed down due to his excessive sweating.

Constabulary response: Panel comments are noted with thanks. Positive feedback has been passed to the relevant officers.

Case 9: Use of Force – Taser red dot - 17/03/2020. 09:01hrs. Weston-super-Mare.

Background: PCSOs have attended the Boulevard in WSM to deal with a male who on their arrival has started to become abusive and threatening. The male is joined by friends who started threatening one of the PCSOs. Another PCSO was body checked and spat on by one of the males.

Member compliments to Officers: A well-handled response to a suspect with a history of violence.

Clear instructions from the Taser Officer who continues to manage the suspect and gain his compliance.

Constabulary response: Panel comments are noted with thanks. Positive feedback has been passed to the relevant officers.

Case 10: Use of Force – Taser red dot – 16/03/2020. 10:05hrs. Weston-super-Mare.

Background: Identification of a male wanted for a 'Failure to Attend' Warrant. Section 23 Misuse of Drugs Act Search.

Member feedback: One member is not sure why this case is a red dot or exactly when it happened because the camera angle wasn't the best as it was a plain clothed officer. The member is assuming

the BWV camera was on his belt. The male subject was argumentative but didn't appear threatening from what the member could see. Another member commented that it would have been beneficial for the BWV to have been started earlier.

Constabulary response: Panel comments are noted with thanks and will be fed into training.

Case 11: Use of Force – Taser aimed – 15/03/2020. 15:27hrs. Taunton.

Background: Report of 2 youths, 14 or 15 year old, in the park and one has a large knife. They were heard to say "Keep a look out". There is then a report of about 5 persons fighting in the park.

2 BWV footages were reviewed by Panel members.

Positive member feedback: The female Officers in both BWV clips are very fair but firm with the suspects. In the 2nd footage the female Officer is very good and has a calm but fair approach to the suspect in the car trying to keep a conversation going while finding out bits of information about him.

Of concern: One member felt that at times search could have been handled a little more professionally, the Officer being perhaps somewhat offish at times although the attitude of the youths was poor which was to be expected. The arresting Officer seemed almost fed up, with a slightly depressed looking demeanour initially, but then cheered up on the drive to the Police Station. May be a tough shift.

Question: Why did the Officer say she had a Taser?

Feedback from 3 Panel members:

6. If force was used, was it appropriate? **No** (2), Yes (1).
7. Did the Police make correct decisions throughout this episode? **No** (1), Yes (1), Unsure (1).
8. Was the Police behaviour free from any stereotyping or assumptions? Yes (2), Unsure (1).
9. Was the incident free from demonstrable discriminatory behaviour? Yes (2), Unsure (1).
10. Does the behaviour need further investigation? **Yes** (1), No (1), Unsure (1).

Constabulary response: Panel feedback is noted with thanks including differing views of panel members. The officers had found a large knife which was believed to have belonged to the male - the officer stated she had Taser due to concerns the situation may escalate. The concerns of the one panel member are noted.

Case 12: Taser red dot 20/2/2020 at 08:49hrs. Taunton (also reviewed at Panel meeting).

Background: Misuse of Drugs Act Warrant executed at male's home address.

Officer commended by members: The Officer was very empathetic post entry, explaining what procedures were and what was likely to happen moving forward. The Officer with the BWV camera was very patient with the suspect from start to finish and explained everything and answered every question the suspect had with courtesy and patience. He should be commended for this.

Police were quite calm and in control of the situation which is why I wonder why Taser was used.

Having achieved compliance calmly explained why Tasers deployed i.e. didn't know level of threat.

Of concern: It seems that drawn Taser and red dotting is becoming the norm in situations such as these. Reliance on Taser seems to have increased significantly and seems more and more to be used proactively rather than reactively as it had been in the past.

Taser seemed aggressive when the suspect was quite calm throughout. Even the suspect asked why they were being so aggressive (in a calm way)

Questions:

- From the context provided there was no intel suggesting a violent nature of the suspect so was there a necessity for 2 Tasers to be drawn and red dotting the suspect in this situation?

Answered during the Panel meeting: Background intel shows previous possession of firearms and aggression. Therefore the Officers aim for containment as fast as possible. Items found: Flick knife, Stun gun, £10,000 of drugs and a second knife.

- From all the cases one member has reviewed, Taser seems to be being used in a different way to what has been viewed before. It would be good to understand if there is a change to Taser Offer training, perhaps a different Trainer and after the Taser uplift, with more Taser Officers?
- The Officers had keys to the flat, perhaps obtained from the Landlord as standard operation practice?

Feedback from 4 Panel members varied:

1. If force was used, was it appropriate? **No** (1), **Unsure** (1), Yes (2).
2. Did the Police make correct decisions in this episode? **No** (1), **Unsure** (1), Yes (2).
3. Was the Police behaviour free from any stereotyping or assumptions? Yes (3), **Unsure** (1).
4. Was the incident free from demonstrable discriminatory behaviour? Yes (4).
5. Does the behaviour need further investigation? No (4).

Constabulary response: The panel comments are noted with thanks. This case was reviewed during the panel meeting and as discussed, this approach was taken based on specific intelligence and was de-escalated once the immediate threat was mitigated.

Case 13: Use of Force – Taser red dot – 03/03/2020. 3:39hrs. Portishead.

Background: A call to Police reporting that a male (CCTV provided a description) had pulled into a cul-de-sac in a car (make, model and colour given) removed some items from the boot, walked round the corner and returned to the car immediately, then drove away. The caller went to look where the male had gone and found several power tools. ANPR located the car. Driver stopped.

Positive member feedback: The Officer explains everything from the beginning to the suspect and is very professional including explaining the need for the Taser. Calm manner of the Officers.

Of concern: One member comments that the Taser seems to have become the ‘go to’ choice in all situations, not just those necessitating its use. There is no intelligence to support an anticipation of violence yet it was drawn and pointed even though the man was compliant and still sat in his vehicle and seat-belted in, having pulled over when stopped.

Operational learning points:

- A member comments that Taser seems to have become the norm in situations that do not necessarily require its use as a Policing tool.
- Another member asks: Why did Officers use Taser? Was their intelligence that the suspect was a black male? Could that have played the part or that the male may have had power tools? It is not clear, but there appeared to be an assumption that the suspect was dangerous.
- A third member asks: Was there a marker on car or registered keeper to justify Taser use? If not why was Taser deployed at the outset?

Feedback from 4 Panel members varied:

1. If force was used, was it appropriate? **No** (2), **Unsure** (1), Yes (1).
2. Did the Police make correct decisions in this episode? **No** (2), **Unsure** (1), Yes (1).
3. Police behaviour free from any stereotyping or assumptions? **No** (2), **Unsure** (1), Yes (1).
4. Was the incident free from demonstrable discriminatory behaviour? **No** (2), **Unsure** (1), Yes (1).
5. Does the behaviour need further investigation? **Unsure/possibly** (2), No (2).

Constabulary response: Thank you for the panel comments including the positive feedback about the officer’s professional approach and explanation. I note the conflicting feedback from one member about the use of Taser. Having reviewed the information recorded on our records, there is a warning

marker for “violence” which suggests information about a propensity for violence. In addition to this the officer describes the isolated location of the vehicle and concern that the male may try to drive the vehicle putting them at risk. Panel comments will be fed back into training.

Case 14: Use of Force – Taser red dot – 05/02/2020. 8:28hrs. Yeovil.

Background: Misuse of Drugs Act (MDA) Warrant executed at a home address.

Commended Officers by members and positive feedback:

The Officers were very good and professional. All managed very well, once entry gained and the situation settled down, all was actioned professionally, appropriately, with well-handled strip searches. During the strip search of the male the Officer kept his BWV on but turned the camera away to protect the suspect’s dignity, which is commended. The Officer also turned the BWV camera on early which gave some early information on what he was attending. Good commentary immediate compliance by the person to the Taser red dot.

Of concern to one member: Language a bit...well...colourful even though it is only when in the car. But Panel members still have to hear it and also it’s not very professional.

Regarding the question of **appropriateness of force**, 2 members said Yes. One member was not sure as it looks as if the Police broke into the front door very noisily. If so noisy then why not just ask them to open the door as they would have been alerted anyway?

Regarding whether or not Police Officers made the correct decisions throughout this episode, 2 members said Yes. One member found it difficult to tell as the background information to the case (Niche database and Storm log) does not indicate why the Police sawed the door down.

Question regarding data recording:

This case was also a strip search as well as Taser and also BME, so where else, how and where is this recorded by Avon and Somerset Police? Does being recorded multiple times (with 23 BWV footages stored) affect the overall figures? Is it one incident in several categories or one incident with several areas?

Constabulary response: The panel comments are noted with thanks including the positive feedback. The panel have raised concerns about language used between officers within the car. We are trying to encourage the early activation of BWV by officers which may pick up some ancillary conversations, however, the panel raise a valid point about the need for professionalism and this will be reiterated in training.

When executing a Warrant, a decision is sometimes taken to force entry where the purpose of the search would otherwise be frustrated. With MDA warrants in particular, people will sometimes use any delay to try and “dispose” of evidence – therefore whilst the entry may be noisy, the purpose of this approach is to gain early entry, and secure control of the premises.

Regarding data recording, this is recorded as one incident linked to the execution of the warrant. Although there are multiple pieces of BWV recorded, this does not affect the number of incidents recorded.

Case 15: Use of Force – Taser red dot – 02/02/2020. 10:40hrs. Portishead.

Background: Victim called Police reporting an argument with her husband who had hit her twice to the face and now she was locked in the toilet with her 9 year old daughter.

2 BWVs provided for member review.

Compliments to the Police Officers. All positive member feedback:

Very patient, caring and supportive attitude even though it was not his field of policing. Very well

handled.

The first officer was alone and did the only thing he could do in using his Taser as a threat to get the male to comply. The 2nd Officer in the 2nd video is amazing with the son who was very distressed at the Dad being arrested. The Officer was very patient and calm with the son and the children, taking the son aside to speak to him privately and explain the situation.

The solo Officer's use of Taser ensured the securing of the suspect and avoided possible injury to adults and children if there was a 'bundle' in the confined space.

The Officer was respectful (offered to remove his shoes) and keen to reassure the young son.

Empathetic discussion with the victim and the Officer is conscious of the family dynamics.

Operational query: Whilst sitting with the boy the Officer has a lengthy radio communication with Police HQ, discussing the case and what backup is available. Would it have been better to do this out of young boy's earshot?

Constabulary response: The panel comments are noted with thanks including the positive feedback. This was a challenging situation to deal with, in particular due to children being present. It is preferable to have interactions where possible away from children, however, on occasions this is not possible

Case 16: Use of Force – Taser aimed – 26/12/2019. 13:37hrs. Weston-super-Mare.

Background: Third party call that male was at his family home threatening to cause damage and assault his partner. He had refused to take his ADHD and borderline Bi-Polar medication during the morning.

Compliments to the Police Officers. All positive member feedback:

Any possible escalation is avoided due to the exemplary way the situation was managed.

Police Officers are calm and calming. One officer took control throughout, engaged well with suspect in a patient way and found the suspect's medication. The Officer also un-handcuffed the detainee and thoughtful had due regard to the man's back injury.

It is assumed that the flat door key was obtained by the Police from the Landlord.

Constabulary response: Panel comments are noted with thanks. Positive feedback has been passed to the relevant officers.

Case 17: Use of Force – Taser red dot – 24/12/2019. 23:13hrs. Taunton.

Background: M5 southbound Officers overtaken and then followed a vehicle driven between 80mph and 120mph. Several near miss collisions due to suspected drink driving. Officers attempted to stop vehicle that ran a red light and then collided with a member of the public's vehicle.

Positive member feedback: Excellent narrative on BWV all the way through the incident.

Of concern:

Several vehicles seemed to lack an item of kit and the Panel member is not sure if they were looking for a breathalyser kit?

Also another member comments that they are not sure of the grounds of the Taser use. It is agreed that the driver had failed to stop, but in the end did, so perhaps Taser is not needed - at least not in the way the Officer deployed it.

Regarding the correctness of Police decision making throughout this incident (question 2 below), one

member queries: When prioritising ambulance treatment for crash victims, there is a questionable comment regarding those arrested i.e.: "couldn't give a monkeys ass for these two".

Operational learning points:

Are Police vehicle supplies checked at the beginning of a shift?

A member would like Officers to think about the best time to turn on their BWV camera. e.g. this BWV was turned on well before it was needed and well before any relevant narrative. The suspect has hit another car and an ambulance is needed for innocent occupants. The medic asks if the suspects need help and the Officer says he doesn't care (words as above). The Officer has seen that the suspects are OK. The Officer's adrenaline is still high and with hindsight he might have verbally added that they are OK.

Feedback from 4 Panel members varied:

1. If force was used, was it appropriate? **Unsure** (1), Yes (3).
2. Did the Police make correct decisions in this episode? **Unsure** (2), Yes (2).
3. Police behaviour free from any stereotyping or assumptions? Yes (4).
4. Was the incident free from demonstrable discriminatory behaviour? Yes (4).
5. Does the behaviour need further investigation? No (4).

Constabulary response: The panel comments are noted with thanks. In response to panel queries:

- A regular kit check should be completed , however, there will always be occasions where an item is not available at that time. Officers took appropriate steps.
- The Taser was used by officers following a lengthy pursuit. The driver had already shown a determination to evade Police and had collided with another vehicle causing it to stop – this was not a voluntary stop and the officer provided justification around the use in order to bring the driver under control swiftly.
- As per common themes raised, Officers are encouraged to turn their BWV at the earliest opportunity. This was an entirely appropriate time to turn on the BWV in view of the ongoing incident.
- As raised by a panel member the verbal's given by the officer at the scene were not appropriate and this has been fed back.

Case 18: Use of Force – Taser red dot – 04/12/2019. 13:51hrs. Yeovil.

Background: Address check after reports of drug dealing, possibly cuckooing. Occupants with machetes.

Positive member feedback: This report of a machete has good Police Officer control, achieved by the Taser red dot. The handcuffing is also covered by the second Taser Officer.

Regarding whether Police made correct decisions throughout this incident, one member recorded that it is difficult to tell without additional narrative to the Niche and Storm log summary provided.

Question: What is the reason for double handcuffing?

Operational learning point: The BWV camera was switched on as the Police Officers broke in, with no pre-entry narrative, which would have been helpful.

Constabulary response: Panel comments are noted with thanks. In answer to the panel question, the handcuffs were "double locked". This is standard practice and prevents the handcuffs from tightening which can cause discomfort or injury. As above officers should activate BWV at an early opportunity to provide a full picture and this is reiterated in training.

Case 19: Use of Force – Taser red dot – 10/11/2019 at 19:14hrs and at 20:09hrs. Weston-s-Mare.

Background: Call to Police that a regular customer has come into the Shop and threatened staff with

a cake slice, demanded money from the till.

2 BWVs, the first of the Officers' initial attendance at the retail shop and the second is partial footage of Taser drawn and red dotting the subject.

Member feedback:

The second BWV footage shows the Taser drawn and the subject restrained on ground. The BWV is switched on too late to assess if the use of force is appropriate.

Operational learning point: Ideally, drawing of Taser should always be accompanied by turning on of BWV.

Constabulary response: Panel comments are noted with thanks. As above officers should activate BWV at an early opportunity to provide a full picture and this is reiterated in training.

Case 20: Use of Force – Taser arced – 18/10/2019. Somerset West.

Background: Call from resident to Police saying a male is locked in the bathroom with 2 large kitchen knives. He is still intoxicated and has a bottle of alcohol with him.

Note: No Body Worn Video footage found for this incident.

Constabulary response: Noted comments that no body worn video is available for this incident. Further investigation taking place to locate this.

Case 21: Use of Force – Taser fired – 13/10/2019. 04:15hrs. Frome, Somerset.

Background: Public reporting seeing 3 males break into a vehicle, described them and the route they were taking leaving the area.

Of member concern: The Taser appears to the member to be used as a first resort which is considered inappropriate given the age of the subjects, who, while unruly, represented no threat.

The Police behaviour is considered to be free from any stereotyping or assumption and the incident is free from demonstrable discriminatory behaviour. However, the member reviewing this case gave feedback that the force used did not appear appropriate and the Police did not seem to make correct decisions in this case.

Constabulary response: Panel comments are noted with thanks. This incident involved a lone officer trying to detain 3 x males on suspicion of breaking into a vehicle, after making off from officers. I note the panel member comment about the subjects representing no threat, however, this can unfortunately never be assumed. Given this was an isolated officer at 04.15am under cover of darkness, with the males making concerted efforts to evade capture, the officer has recorded justification for the use of Taser. Panel comments will be fed back to training.

Case 22: Use of Force – Taser drawn – 19/08/2019. 07:21hrs. Yeovil.

Background: Section 8 (PACE) Warrant executed at address. Unknown intelligence picture about who was inside the address and what items may be inside. Drugs, cash and mobile phones recovered, linked to a County Line.

Member feedback: Useful introductory BWV commentary. However, Taser appears to be used as a first resort. The occupants of the house locked the door but are immediately compliant when Officers enter.

Question: Was Taser deployment strictly necessary, given the number of Officers involved?

Constabulary response: Panel comments are noted with thanks. This Warrant was executed linked to county lines where recent intelligence suggested drug dealing and violence including the use of weapons. When the premises was secured, this was de-escalated appropriately.

Case 23: Use of Force – Taser red dot – 18/08/2019. 07:10hrs. Weston-super-Mare.

Background: Call to Police that neighbour has come to his door making accusations of damaging his car. During the incident he pulled a knife on the caller.

Positive member feedback: Useful introductory commentary. Knife reported. Taser drawn as a precaution. Appropriate use.

Constabulary response: Panel comments are noted with thanks.

Case 24: Use of Force – Taser red dot – 17/08/2019. 01:31hrs. Weston-super-Mare.

Background: Call to Police that flat mate is fighting with the caller's Dad. The flat mate is heard to say "I should have killed you yesterday". Victim has blood on his face.

Positive member feedback:

The Officer who appeared to be the lead was very calm and concerned for the welfare of the man being arrested. This man was red-dotted due to his confrontational behaviour and the Panel member considers this to be an appropriate precaution due to the uncooperative and demanding man throughout the incident. PAVA is used and spit guard and knee straps applied - again appropriately due to very aggressive behaviour.

Noted: Very poor recording due to wind noise and lack of light.

Of concern: When trying to get the man into the van for transport, it was 'busy' due to resistance and the necessity of many officers. The member felt the communication was chaotic with too many officers all contributing, and due to PAVA and heightened emotions this did not assist in calming the man.

Constabulary response: Panel comments are noted with thanks. This was a challenging situation to deal with due to the aggressive behaviour of the male and I note the panel comment about the officers remaining calm in the circumstances. I note the conflicting view of the panel member regarding the "chaotic" scene which is a really challenging balance, around gaining control but trying to de-escalate the situation.

Case 25: Use of Force – Taser xxx – 16/08/2019. 14:17hrs. Weston-super-Mare.

Background: Police check of an address thought to have been cuckooed.

Note: No BWV found of the Taser red dotting or handcuffing. Therefore members have stated:

As the Taser deployment (red-dotting) was not available on BWV it isn't possible to comment on the appropriateness of this incident.

Video that was available did not cause any concerns that this matter was dealt with in anything other than an appropriate way. It is the strip search of a juvenile in custody, as audio only, with the camera turned away. The person searched is entirely co-operative.

Feedback from 2 Panel members:

1. If force was used, was it appropriate? **Unsure.**
2. Did the Police make correct decisions in this episode? **Unsure.**
3. Police behaviour free from any stereotyping or assumptions? **Unsure.**
4. Was the incident free from demonstrable discriminatory behaviour? **Unsure.**
5. Does the behaviour need further investigation? No (2).

Constabulary response: Noted comments that no body worn video is available for this incident. Further investigation taking place to locate this.

Case 26: Use of Force – Taser red dot – 15/08/2019. 4:10hrs. Frome.

Background: Female called 999 reporting 2 males fighting at the address and drunk. The caller also mentioning a knife.

Positive member feedback:

Subject seen through a house window wielding a knife. Officers keep calm, recognising that the man is being 'passive aggressive' and not compliant to their requests, but also not actually a threat to them. The Taser red-dot is used due to the man's aggressive behaviour and is considered appropriate use of force.

Constabulary response: Panel comments are noted with thanks.

An additional case, not in the theme of BAME Somerset disproportionality:

Case 27: Use of Force – Taser fired – 16/6/2020. 17:11hrs.

Background: Call to Police. Caller said they had a message from a friend that the friend has cut his own wrists with a blade and a knife, held the knife to his own throat and threatened another friend with the knife.

Constabulary commended Officer's actions.

Officers called to a concern for welfare where a male was cutting himself with knives and damaging property inside an address. On arrival, the male became confrontational before threatening to stab the Officers in the throat and then the male charged forward with 3 knives at 2 Police Officers. The male was Tasered and arrested.

Compliments to the PC WRIGHT and positive member feedback:

The subject approached the Police Officers rapidly in an aggressive manner carrying knives, having threatened to stab them. The Officer fired the Taser immediately and this is considered entirely appropriate use. The Officer in charge, PC WRIGHT, demonstrated excellent leadership throughout the episode and is to be congratulated on the prompt action. The Officer was concerned for the safety of his Officers and put them in a place of safety. He kept calm throughout and this de-escalated the situation.

Constabulary response: Panel comments are noted with thanks. Positive feedback has been fed back to the officer.

2. Stop and Search – BME – 24 cases selected for review

Note: The GOWISELY acronym is a reminder to a Police Officer of the information that must be provided (in any order) to a person (subject) when the Officer performs a stop and search.

'GOWISELY' stands for:

G: **Grounds for the search;**

O: Object the officer is searching for;

W: Warrant, particularly if the Officer is in plain clothes;

I: Identification, proof that the Officer is indeed a Police Officer;

S: Station to which the Officer is attached;

E: Entitlement, any citizen being searched by a Police Officer is entitled to copies of the paperwork;

L: Legislation, the legal power which gives the officer the right to stop and search;

Y: YOU are being detained for the search or for the purpose of... i.e. informing the person in clear terms the purpose and nature of the search.

Case 28: Stop & Search (under the power of section 23 of the Misuse of Drugs Act (s23 MDA))
– 02/04/2020. 15:31 hrs. Weston-super-Mare.

Call to Police: A Landlord was concerned that his tenant was being cuckooed. The caller stated that several people were coming and going from the address and were refusing to leave despite requests from the tenant. Police concern for welfare (Cuckooing).

Positive member feedback: An incident-free search, with no issues.

Case query: A Panel member queries the ethnicity record.

Constabulary response: The Constabulary thanks the Panel for its feedback in this case.

Case 29: Stop & Search (s23 MDA) – 03/04/2020. 18:50 hrs. Somerset West.

Phone call to Police: A neighbour reports that there was a group of 3 young people sat in a vehicle on the driveway of an address, smoking cannabis. Caller stated that they did not live together (Covid-19 guidance breach).

Positive member feedback: Polite relaxed avuncular. Given good advice. An incident-free search, with no related issues.

However, of concern: The only Stop and Search ground stated was the smell of weed.

Questions:

1. What were the Stop Search reasonable grounds for suspicion that the people had drugs?
2. The people were told there would now be a record of their search and this would be known if they were stopped again. How long does it last?
3. Is the Stop Search record kept on the Police database if the search finds nothing?
4. Should a person know this when asked for their name and other personal data?

Feedback from 3 Panel members:

1. If force was used, was it appropriate? N/A (3 members).
2. Did the Police make correct decisions throughout this episode? Yes (2), **Unsure** (1).
3. Was the Police behaviour free from any stereotyping or assumptions? Yes (3).
4. Was the incident free from demonstrable discriminatory behaviour? Yes (3).
5. Does the behaviour need further investigation? No (2), **Unsure** (1).

Constabulary response: The Constabulary thanks the Panel for their feedback in relation to this incident. Feedback has been provided to the officers regarding the grounds for the search. The record of a stop search is held on Niche indefinitely, irrespective of the outcome of the search. The person searched can request a copy of the search from a Police Station up to three months after the completion of the search. A person is not obliged to provide any personal details during a stop search and any record made would adhere with GDPR principles. All officers have received training in GDPR so could advise a person of this if requested.

Case 30: Stop & Search (s23 MDA) – 05/04/2020. 14:06 hrs. Yeovil.

Police Officers saw a young male (age 14) slumped over a wall, semi-conscious at the roadside, with glazed eyes and dilated pupils. A small drug bag was on the floor next to him.

Positive member feedback: An uneventful search of a minor under the influence. Patient Officer, concerned for the youth's welfare and took him home.

Question: Can the Constabulary clarify the guidance regarding removal of outer clothing for purposes of a search? The minor had his outer jeans around his knees when they found him, but does this provide authority to continue to search with them still around his knees? Is this within the category of 'more than jacket, outer garment and gloves'?

Constabulary response: Thank you to Panel for their feedback on this case. Regarding the search of the outer jeans, PACE states that only jacket, outer coat and gloves can be required to be removed in public. Had the officers wanted to remove the first pair of jeans, this would have constituted a strip search and would have had to be done at a nearby police station or other nearby location outside of public view. As the officers do not remove (or indeed even move the jeans) from their starting position at the young person's knee during the search, the search of the pockets and waistband of both the jeans and tracksuit bottoms underneath, appear to have been conducted in the spirit of PACE.

Case 31: Stop & Search (s23 MDA) – 08/04/2020. 08:52hrs. Somerset West.

Recent intelligence links the occupants of a vehicle to County Lines drug supply with their cars often used to transport people and drugs. One of the vehicle occupants had been stopped only hours before in the company with another person in the car known for drugs. There were no grounds to search earlier in the day, but after the males left the area a Police search found Cocaine and Heroin.

Member feedback: An uneventful intelligence led search.

Feedback from 3 Panel members:

1. If force was used, was it appropriate? N/A (3).
2. Did the Police make correct decisions throughout this episode? Yes (2), **Unsure** (1).
3. Was the Police behaviour free from any stereotyping or assumptions? Yes (3).
4. Was the incident free from demonstrable discriminatory behaviour? Yes (3).
5. Does the behaviour need further investigation? No (2), **Unsure** (1).

Stop Search feedback from 2 of 3 members reviewing this case:

1. Grounds for Stop & Search? Yes (1), **Unsure** (1).
2. Subject informed of Grounds? Yes (1), **Unsure** (1).
3. Were the Grounds sufficient? Yes (1), **Unsure** (1).

Constabulary response: The Constabulary notes the Panel's feedback with thanks.

Case 32: Stop Search (s23 MDA) 13/04/2020,19:24hrs. Yeovil (also reviewed at Panel meeting).

A few hours earlier 3 of the 4 people were present after a report from the public that drug use was taking place in Ninesprings in Yeovil. At the time there were not enough grounds to search, but after their dispersal the area was searched and Cocaine and Heroin was discovered. As a result of them again being found together and Police National Computer (PNC) showed previous for drugs

possession with at least 2 of them, all 4 of the males in the vehicle – stopped for no car insurance - searched undertaken.

Question: ‘The same group’ seems insufficient grounds for a search. The car is stopped for no insurance and the Officer recognises the same group. Does the fact that drugs are found where they had previous been but were **not** searched justify this later search?

Answered during the Panel meeting: This is legitimate grounds for a search in a policing point of view. There is intelligence of previous County Lines.

Question during the Panel meeting: Why was the mixed race male handcuffed but not the black male or the white male during their searches? Members are aware of victims exploited for County Lines.

Stop Search feedback from 2 of 3 members reviewing this case:

1. Grounds for Stop & Search? Yes (1), **Unsure** (1).
2. Subject informed of Grounds? Yes (1), **Unsure** (1).
3. Were the Grounds sufficient? Yes (1), **Unsure** (1).

Constabulary response: The Constabulary notes the Panel’s questions and that the first was answered during the meeting. With regards the second question about why one male was handcuffed and the two others were not. It appears that the same officer searches all three males, however when this officer is searching the mixed race male, another officer comes in and applies handcuffs. It is not entirely clear as to why on the footage, although it will be for this officer to justify their own use of force. The Constabulary believes that had the second officer not interjected, none of the males would have been handcuffed by the first (and searching) officer.

Case 33: Stop & Search (s1 PACE Search) – 17/04/2020. 22:35hrs. Bridgwater.

Caller to Police reports hearing 3 males holding down another male, believed to have been shoplifting. A knife is mentioned.

Positive member feedback: Both Police Officers deal with the intoxicated male suspect firmly but fairly and use appropriate language.

Constabulary response: The Constabulary notes the Panel’s observations, which have been fed back to the officers with thanks.

Case 34: Stop & Search (s23 MDA) – 19/04/2020. 13:51hrs. (also reviewed at Panel meeting).

Police Officers stop 3 males suspected of being involved in a drug deal in an area known for this activity. Males met up then walked into an alleyway out of sight.

Complimentary feedback: An excellent example of the Police Officer communicating the GOWISELY Stop Search items. Good to see a plain clothed Officer using BWV. An uneventful intelligence-led search.

However, questions of concern and operational policing points:

Video 34.2: The search did not find any drugs. As with any Stop & Search, was the suspect within his rights to refuse to give his personal details? Both Officers insisted the details were required, saying it was the law and they needed to document it. However it is the Panel members understanding that searched people are not compelled to provide details.

Question: Video 34.1 lost the sound. This hasn’t been experienced by members before. What are the reasons for no audio and how often does it happen?

Constabulary response: The Constabulary notes the Panel’s feedback with thanks. Regarding the provision of personal details, the person searched is under no obligation to provide officers with these

details and PACE states that a person should not be asked to provide this information for the purpose of completing a record. This will be fed back to the officers concerned.

Regarding the loss of audio – this is likely to be a technical error and is rare. Further detail has been sought from the Force lead for Body Worn Video and will be shared with the Panel once received.

Case 35: Stop & Search (s23 MDA) – 14/04/2020. 17:56hrs. Taunton. During Covid-19 travel restriction guidelines.

Police Officer stop on a vehicle travelling from Bridgwater to Taunton and had intel for drugs on vehicle and driver. When the driver stated they were going to ASDA, the Officer pointed out that there was one where they had driven from, to which the driver stated they 'forgot about that one'.

Member positive feedback: A very relaxed encounter. The Officer conducting the search was polite and dealt with the suspect well.

However, questions of concern:

The Officer stated there was intelligence on the suspect and his vehicle and that was the reason for the stop/search. However, the suspect stated it was a hire car, which raises doubt on the reason for the stop. The Officer didn't know the suspect's history until he entered his details, so did the hire car have a drugs marker/tag on it? This appears to be a targeted stop but the reasons presented to the driver do not appear to stack up.

Was there sufficient justification for the stop? If so is it correct to say that this car can be stopped at any time? After the stop the driver says he was en route to shop and the officer appears to justify the search because he is not shopping at his local shop. The implication being that he is travelling to deal in drugs rather than shopping. Is it the case that you cannot stop someone for the purpose of finding reasonable grounds for suspicion?

Feedback from 3 Panel members:

1. If force was used, was it appropriate? N/A (3).
2. Did the Police make correct decisions throughout this episode? Yes (2), **Unsure** (1).
3. Was the Police behaviour free from any stereotyping or assumptions? Yes (3).
4. Was the incident free from demonstrable discriminatory behaviour? Yes (3).
5. Does the behaviour need further investigation? No (1), **Unsure** (2).

Stop Search feedback from 2 of 3 members reviewing this case:

1. Grounds for Stop & Search? **Don't know** (2).
2. Subject informed of Grounds? Yes (1), **Unsure** (1).
3. Were the Grounds sufficient? **Don't know** (2).

Constabulary response: The Constabulary notes the feedback of the Panel in this case. There was intelligence linked to the vehicle on Niche that was recent to the stop search being conducted and a marker was on the vehicle to this effect.

The power to stop a vehicle is provided under s.163 of the Road Traffic Act and applies to any vehicle on a road. An officer does not need suspicion of any offence to use this power, although consideration as with all legal powers should be given to whether it is proportionate and necessary as per the European Convention on Human Rights.

A vehicle cannot be stopped for the purposes of finding reasonable grounds, however interactions with the driver and occupants and observations of the officers may provide reasonable grounds for suspicion after the vehicle is requested to stop. Whilst the vehicle could legally be stopped at any time, any subsequent search must be justified.

Case 36: Stop & Search (s23 MDA) – 14/04/2020. 19:27hrs. Weston-super-Mare.

Officers were in plain clothes on patrol when they noticed 2 people on a bridge. The Officers recognised 1 person and when they identified themselves as Police, the male ran off and threw a bag into a bush.

Positive member feedback: The female officer dealt with the female suspect very well, and showed concern for her welfare. Good BWV by plain clothed Officer. Good Covid-19 interaction.

Constabulary response: The Constabulary thanks the Panel for its feedback in this case.

Case 37: Stop & Search (s23 MDA) – 17/04/2020. 15:42hrs. Weston-super-Mare

Officers enter the property of a victim who is suspected of being cuckooed by a County Lines drug gang member. Drugs found on a County Line dealer in the property.

Exemplary: Very well controlled and executed. Suspects are treated respectfully. The Search grounds and other items are all well explained. The use of the Body Worn Video camera is exemplary and the plain clothed Officer ensures the video is set up to give a full view.

A clear explanation from the Officer of the relevance of knowing the person's age regarding the need for an Appropriate Adult (if 17 or under).

Operationally: A good idea to place BWV cameras on a fixed surface to observe the suspect.

Constabulary response: The Constabulary notes this feedback with thanks.

Case 38: Stop & Search (s23 MDA) – 22/04/2020. 08:21hrs. Weston-super-Mare.

A male had been pointed out by a member of the public after he had offered to sell them drugs. The male saw officers and made off on his bicycle. He was later seen again by officers, at which point he made off, dropped his hat in the process and then decided to stop for officers.

All positive member feedback: Officers are respectful all the way through the stop and search, despite it being difficult with a non-compliant subject. The Officer is very patient in the face of an abusive and agitated male. Full GOWISELY points are heard and a Stop Search receipt is offered.

Constabulary response: The Constabulary notes the Panel's feedback, which has been shared with the officers concerned.

Case 39: Stop & Search (s23 MDA) – 23/04/2020. 14:08hrs. Bridgwater.

Male exited the rear of a house when Police Officers knocked on the front door. Intelligence that the male is dealing drugs in Bridgwater. Suspect has a Community Protection Warning (CPW) Notice not to be in the Town.

This search is respectfully carried out, with a nice tone of voice and good interaction by the female Officer. No search is seen as the person is taken to the Police Station for a strip search after the BWV footage ended.

Stop Search feedback from 2 members reviewing this case:

1. Grounds for Stop & Search? Yes (2).
2. Subject informed of Grounds? Yes (1), **Unsure** (1). It may have been later at the Police Station.
3. Were the Grounds sufficient? **Don't know** (1), Yes (1).

Constabulary response: The Constabulary notes the Panel's feedback – thank you.

Case 40: Stop & Search (s23 MDA) – 24/04/2020. 13:18hrs. Minehead.

Police Officers stopped a vehicle and the driver (the only occupant) and vehicle were searched due to recent intelligence involving them in the supply of drugs and also the smell of cannabis coming from within the vehicle.

One member had positive feedback that all is well handled, the Officer being very respectful towards the person detained, ensuring his vehicle was parked safely and locked. Good attitude throughout from all the officers.

Of concern however from this member: There appears to be some confusion over procedures regarding the search of the man's home, when calling in for authorisation, bringing an element of doubt as to the correct procedure for the Officers to follow.

Also one member comments that the BWV is of the Officer searching the car and not the suspect. The notes say the stop was due to "recent intelligence involving them in the supply of drugs and the smell of cannabis coming from within the vehicle". Here there was one driver only ("them" being the driver and vehicle?) and the smell cannot have been known until after the stop.

Question: What specifically justified the stop and search? Intel on the driver and car involved in illegal drugs?

Feedback from 2 Panel members:

1. If force was used, was it appropriate? N/A (2).
2. Did the Police make correct decisions throughout this episode? Yes (1), **Unsure** (1).
3. Was the Police behaviour free from any stereotyping or assumptions? Yes (1), **Unsure** (1).
4. Was the incident free from demonstrable discriminatory behaviour? Yes (1), **Unsure** (1).
5. Does the behaviour need further investigation? No (1), **Unsure** (1).

Constabulary response: The Constabulary thanks the Panel for its feedback in this case. The searching officer's body worn video does capture the search of the male at the start of the footage, which quickly moves into an arrest once the officer locates an item in the male's hand that the officer refers to as 'rocks'. Suspecting them to be drugs the officer arrests the male for possession with intent to supply. The search then continues, but would have been conducted under s.32 PACE post arrest although is not specifically stated.

There was recent intelligence on the vehicle linking it to drug dealing prior to the stop search to which the person searched (driver) was linked. It was this recent intelligence combined with the fact that the officer states that the smell of cannabis was coming from the vehicle that has provided the officer with grounds for this search. In relation to the term 'them', from the context and way in which the report has been written on Niche it would appear that the officer is referring to the driver and vehicle as noted by the Panel, as opposed to further people.

Case 41: Stop & Search (s23 MDA) – 05/05/2020. 16:17hs. Chard. Covid-19 lockdown travel restriction guidelines.

Police Officers check an address after receiving information that it may be occupied by County Lines Class A drug dealers. Once entry was gained, a male from Croydon was found inside and had no reason to be there. Police concern for the tenant as a vulnerable person.

Member feedback: Calmly handled throughout. Initial use of force is justified when a weapon is found. Nice Officer tone-of-voice and patient handling of people having clear issues to cope with.

Search Grounds are given although not immediately.

Constabulary response: The feedback of the Panel is noted with thanks.

Case 42: Stop & Search (s23 MDA) – 15/05/2020. 14:23hrs. Weston-super-Mare.

CCTV data shows a male exchanging items. Possibly dealing with another person.

Member feedback: The search is almost over when the BWV starts.

Question: Why was the person handcuffed?

Feedback from 2 Panel members:

1. If force was used, was it appropriate? N/A none seen (1), **Unsure** (1).
2. Did the Police make correct decisions throughout this episode? Yes (1), **Unsure** (1).
3. Was the Police behaviour free from any stereotyping or assumptions? Yes (2).
4. Was the incident free from demonstrable discriminatory behaviour? Yes (2).
5. Does the behaviour need further investigation? No (1), **Unsure** (1).

Stop Search feedback from 2 members reviewing this case:

1. Grounds for Stop & Search? Yes (2).
2. Subject informed of Grounds? Yes (2).
3. Were the Grounds sufficient? **Don't know** (1), Yes (1).

Constabulary response: In relation to the Panel's question about why the person was handcuffed - based on the grounds for search, namely that the male had been observed potentially engaging in a drug deal on CCTV, the use of handcuffs would have likely been to prevent the male from accessing the drugs that officers reasonably suspected they would find and disposing of them prior to the officer being able to complete the search fully.

Case 43: Stop & Search (s23 MDA) – 15/05/2020. 16:36hrs. Weston-super-Mare.

2 males seen in several alleyways with different groups of drug users suspected of dealing Class A drugs. Current intelligence that one of them is dealing drugs in the Town centre and the other is dealing in another area.

Member feedback: The search is almost over when the BWV starts.

Question: Why was the person handcuffed?

Feedback from 2 Panel members:

1. If force was used, was it appropriate? N/A none seen (1), **Unsure** (1).
2. Did the Police make correct decisions throughout this episode? Yes (1), **Unsure** (1).
3. Was the Police behaviour free from any stereotyping or assumptions? Yes (2).
4. Was the incident free from demonstrable discriminatory behaviour? Yes (2).
5. Does the behaviour need further investigation? No (1), **Unsure** (1).

Stop Search feedback from 2 members reviewing this case:

1. Grounds for Stop & Search? Yes (1), blank (1).
2. Subject informed of Grounds? Yes (1) and receipt offered; Blank (1).
3. Were the Grounds sufficient? **Don't know** (2).

Constabulary response: The Constabulary notes the Panel's feedback – having reviewed the body worn video of both of the searching officers, it does not appear as though either male searched is handcuffed.

Case 44: Stop & Search (s1 PACE search) – 17/05/2020. 17:10hrs.

Caller to Police states a male has been seen walking past shops and believed to hide a knife up his sleeve.

Positive member feedback: All officers were extremely courteous to the suspect and demonstrated a calm manner which probably had a calming influence on the episode, as the suspect was verging

on agitation at times.

Constabulary response: The Panel's feedback, which has been shared with the officers involved, is noted by the Constabulary with thanks.

Case 45: Stop & Search (s23 MDA) – 09/06/2020. 01:15hrs. Taunton.

Council CCTV operators called Police to report a disturbance taking place, i.e. a group of around 7 people, male and female. A victim was identified and a description given of a male suspect. On attendance the victim tells Officers that they have had a knife held to their throat. Description given of a male wearing a black coat and a balaclava.

2 BWVs for member review.

Officers commended in this positive member feedback:

A youth fled from the Police and away from the scene of the suspected offence, where a victim was allegedly held at knifepoint. The reasons for the section 1 search - for a knife – is clearly explained to the subject and the conduct of both Officers involved is commendable.

The second BWV footage of another youth stopped and searched for a knife showed Officers' empathetic attitude that secured co-operation, despite the subject's initial antagonism.

Police Officers waited to carry out the search until confirmation of the description was obtained from the victim. The Officers explained clearly to the boy (age 15) what they were looking for and why they were searching him. Both searches have good grounds.

Question: Knowing the Officers were looking for a 'bladed article', one member was surprised the suspect wasn't handcuffed, as observed in other similar Stop and Search encounters (e.g. cases 44 (an adult) & 48 (age 14)). Was the age of the searched youth a factor?

Constabulary response: The Constabulary thanks the Panel for its feedback. Regarding the Panel's question about the male not being handcuffed despite the search being for a knife – any use of force is for the individual officer to justify. Having reviewed the body worn video the person is compliant and is with officers for a significant time before the search is conducted in which they would have assessed his demeanour and response to their presence. Whilst age may have been a consideration, it also appears that officers have risk assessed the situation and made the decision that they did not need to apply handcuffs to the male.

Case 46: Stop & Search (s23 MDA) – 24/06/2020. 20:36hrs. Highbridge, Somerset.

A call to Police reporting people in their house that they did not want there. The caller was not at the address at the time of the call and had been told this information by someone else. Potential people's names who may be inside the home address were given. Address known for drugs supply.

Positive member feedback: Several subjects are searched following a complaint that they were on the complainant's premises without permission, dealing in drugs. The Officers took control of the situation very effectively.

Constabulary response: The Constabulary notes the Panel's feedback with thanks.

Case 47: Stop & Search (s23 MDA) – 17/7/2020. North Somerset.

Search Grounds recorded: A group of 5 males were seen walking across a motorway junction. One admitted having just smoked a joint of cannabis and the individuals in the group appeared to be under the influence of drugs, having dilated pupils.

Positive member feedback: Officers action a search following an admission by one of the 5 males that he had thrown away a splif. There are ample ground for the search in addition to the strong smell

of cannabis detected. The Officers are firm but also courteous.

Constabulary response: The Panel's observations and feedback are noted by the Constabulary – thank you.

Case 48: Stop & Search (s23 MDA) – 21/07/2020. 15:59hrs.

Search Grounds recorded: A male was witnessed making an exchange with a suspected drugs user in an area of high drug dealing intelligence by a plain clothed Police Officer.

A youth matching the subject's description has been seen by plain clothed Police Officers apparently dealing drugs. The youth attempted to ride off on his bike when encountered by the Officers. The youth was in possession of a large knife and there are ample grounds for the search. The Officers are courteous throughout the stop and search.

Constabulary response: The Constabulary thanks the Panel for its feedback in this case.

Case 49: Stop & Search (s23 MDA) – 18/07/2020. 16:01hrs. Bridgwater.

Vehicle seen with intelligence for drugs. Driver then acted in a suspicious manor by trying to avoid Police vehicle.

Compliments to Officer 4282 in feedback: Officers stop the vehicle for a rear light not working. Vehicle and person check by the Officer at the scene. Driver admits being known to the Police for robbery but not drugs. The Officer explains to all 3 people of intelligence of drugs in the vehicle. GOWISELY explained and that it's being filmed. Also a receipt offered. The Officer even helps with the car rear light connection and makes it work. The Officer has an excellent rapport and chats to the searched person in a friendly manner. Search of the driver and vehicle. Officer 4282 commended for his engagement.

Constabulary response: The Constabulary notes the Panel's feedback and compliments to the officer, which have been passed on directly to him.

Case 50: Stop & Search (s23 MDA) – 18/07/2020. 21:34hrs.

Officers were attending the location for a separate matter and on arrival were approached by a member of the public who pointed out 2 males who they stated had just completed a drug deal in an upstairs flat. Officers approached the males who stated that they did not live at the location and had come there to smoke cannabis.

Member feedback: No issues. Ample grounds for the searches and the Officers are courteous.

Constabulary response: The Constabulary notes the Panel's feedback – thank you.

Case 51: Stop & Search (s23 MDA) – 27/07/2020. 11:58hrs. Yeovil.

Additional case highlighted by Scrutiny Panel Chair.

An off duty officer phoned the Police to state that he had been on the way to court and had tried to detain a male who he knew to have lots of intelligence for drugs. The male had fought with the off-duty officer and the male made off.

No BWV of the earlier Stop Search because the Officer was off duty, going to Court. Male charged for assaulting a Police Officer and carrying a knife at a Stop and Search.

Member feedback: No issues recorded.

Constabulary response: The Panel's feedback is noted with thanks.

Case 52: Stop & Search (s23 MDA) – 20/07/2020. 21:03hrs. Taunton.

Informant called to report that there was a group of about 20 people in their early 20s shouting and fighting, most of the group had gone towards the railway station. The informant stated that 3 people were at the station bleeding. A further call was received reporting a possible disorder. Also an off-duty officer called in to report a fight in progress outside the Train Station.

Note: BWV footage no longer available since 6/8/2020.

Constabulary response: The Constabulary notes that due to the BWV footage no longer being available the Panel have not been able to fully review this case.

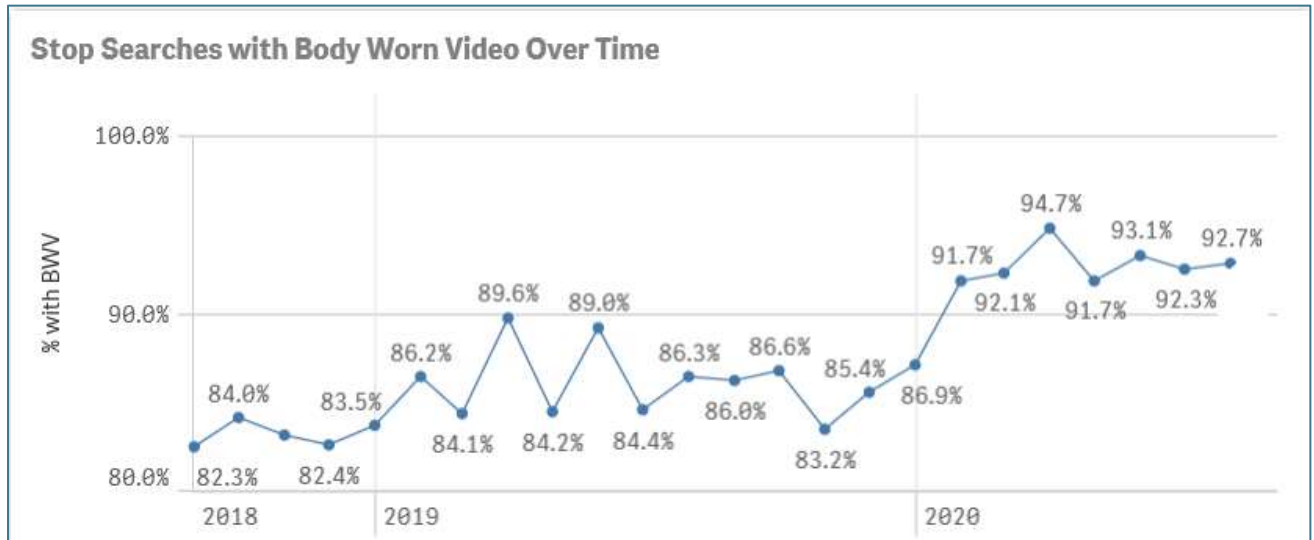
Case 53: Currently under police investigation so not appropriate to publish this case.

Appendix 2

Stop and Search monthly data and BWV camera switched on figures (to 31 August 2020)

Stop and Search Month/Year	Stop & Search count	BWV recorded %
Aug 2018	506	82.6%
Sep 2018	377	80.9%
Oct 2018	479	82.0%
Nov 2018	419	81.4%
Dec 2018	508	80.5%
Jan 2019	498	82.1%
Feb 2019	517	83.9%
Mar 2019	571	82.5%
Apr 2019	618	88.0%
May 2019	706	82.4%
Jun 2019	662	86.0%
Jul 2019	586	82.4%
Aug 2019	680	84.6%
Sep 2019	622	83.1%
Oct 2019	705	83.1%
Nov 2019	726	81.4%
Dec 2019	626	82.3%
Jan 2020	627	86.6%
Feb 2020	711	81.3%
Mar 2020	702	90.7%
Apr 2020	968	94.2%
May 2020	1172	90.4%
June 2020	899	93.1%
July 2020	893	92.3%
August 2020	613	92.7%

Stop and Search graph of monthly BWV camera switched on percentages (to 4 September 2020)



Appendix 3

Taser used (out of holster and either aimed, red-dot, arc, drive-stun or fired) and BWV on:

Year	Month	Taser used / deployed	BWV (recorded in Log or Use of Force Form)	% with BWV
2019	March	13	12	92.3%
2019	April	49	44	89.8%
2019	May	75	66	88.0%
2019	June	81	72	88.9%
2019	July	76	64	84.2%
2019	August	92	80	87.0%
2019	September	68	53	77.9%
2019	October	66	58	87.9%
2019	November	87	67	77.0%
2019	December	112	91	81.3%
2020	January	85	71	83.5%
2020	February	92	72	78.3%
2020	March	114	94	82.5%
2020	April	98	81	82.7%
2020	May	134	110	82.1%
2020	June	108	86	79.6%
2020	July	100	90	90.0%
2020	August	108	90	83.3%

Taser FIRED only and BWV:

Year	Month	Fired TASER	BWV (recorded in Log or UoF Form)	% with BWV
2019	March	2	2	100.0%
2019	April	9	8	88.9%
2019	May	11	10	90.9%
2019	June	10	10	100.0%
2019	July	13	10	76.9%
2019	August	10	10	100.0%
2019	September	13	13	100.0%
2019	October	22	20	90.9%
2019	November	14	12	85.7%
2019	December	27	23	85.2%
2020	January	11	11	100.0%
2020	February	13	10	76.9%
2020	March	12	11	91.7%
2020	April	18	16	88.9%
2020	May	22	19	86.4%
2020	June	13	9	69.2%
2020	July	15	14	93.3%
2020	August	19	18	94.7%