

Scrutiny of Police Powers Panel

Case Review Report

30 April 2021

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Scrutiny of Police Powers Panel

30 April Panel meeting

Welcome to attendees:

9 of the 16 members attended the *Scrutiny of Police Powers* Panel meeting. Others in attendance: PCC's contacts & conduct Officer.

Police Officers/Staff: Assistant Chief Constable, Superintendent Head of Patrol, Taser Lead Chief Inspectors, Taser Lead Trainer (presenter) and Trinity Road Beat Sergeant. Also standing invitations to Police Federation & UNISON, Black Police Association.

Constabulary update - Taser

Slide presentation and discussion in response to the Panel's query: Is Taser deployment an earlier/first option?

You said, we did: Training has been revised to now include all policing tools (e.g. inert PAVA spray and batons, all PPE) within the National Decision Making model, not just Taser and there are more live training scenarios (up from 5 to 30). The distance graphic has been added to the classroom input. De-escalation.

Theme: Disproportionality

The ongoing 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 of different ethnicities, including White. Stop and Search disproportionality is highest in the county of Somerset and so this geographical area has been chosen, as well as completed complaints about Taser use and Stop & Search.

49 cases were reviewed remotely by 3 sub-groups of members during April 2021, in advance of this 30th April 2021 online Panel meeting.

A total of 117 feedback forms were completed for Stop and Search and Taser cases.

Members' positive feedback includes:

- Officers' good, calm, courteous manner.
- Positive not punitive Officer learning is good, but it's important to feed back to individual Officers, for personal development. This is a repeated theme.

Members' concerns includes:

- Very few Stop and Search cases reviewed have a positive outcome, suggesting that more intelligence is required.
- Personal details asked from person Searched.
- Stop and Search Grounds being a smell of cannabis alone is not justifiable.
- Not all Stop and Search aspects are explained by Officers.
- BWV switched on too late into the incident.
- Necessity of handcuffing queried.
- Taser drawing & deployment in advance has become far more the norm than it used to be.
- Weston-super-Mare Officers often request a person's name during a Stop Search.
- If Constabulary action is taken it's good to know.
- Risks of single crewing.

Of the 29 Stop Search cases it is noted:

- 8 started as a vehicle stop.
 - 7 had no or incomplete BWV.
 - 4 had a positive outcome.
 - 24 showed personal information being taken before, during or after the search.
 - 10 PNC checks made.
 - 2 cases showed telephones being seized and scrutinised.
 - 1 case the officer accepted the person's refusal to provide their personal information.
- For a vehicle stopped, the Road Traffic Act requires ID to be provided. After omitting the 8 RTA stop cases, personal information was taken in 16 cases out of 21 (80%).

Case reviews: See: **Appendix 1 - Case summaries and feedback.**

Actions:

1. 30/4/2021: Second Constabulary invitation to Panel members, to observe the Taser training, now revised after Panel member feedback.
2. 30/4/2021: In addition to the quarterly Taser case analysis, a request from Panel members for more Constabulary qualitative data behind Officers deploying Taser earlier in the incident. Other information not captured in the Use of Force forms. Is there a greater threat level for Police? Are more Officers Taser-trained? The qualitative aspect, including the number of Use of Force and total number of incidents and number of Taser deployments and number of Taser-trained Officers. Taser fire (10%) and other deployments, e.g. red dot, arced and drawn only. Noted: The Use of Force form was changed in Oct 2020 and now includes: ethnicity, gender, disability, Officer service and disproportionality.
3. 30/4/2021: Re Case 42, the Panel will be updated on the complaint outcome. The Independent Residents Panel will also review the completed complaint.
4. 30/4/2021: Re Case 26, the Independent Residents Panel will review this completed complaint. The Use of Force Lead will also follow this up.
5. Youth Scrutiny Panel proposed by the St. Pauls Beat Mgr. Sgt. Ages 15-25. ACC noted as very supportive. This fits well with the Lammy review. Younger members are welcome by the Chair to the Scrutiny of Police Powers Panel. Or a separate Panel? Youth IAG?

AOB items:

1. This is the last Panel meeting with PCC Sue Mountstevens. Thank you to Sue from the Panel. Sue instigated the Scrutiny Panel, with the first meeting in June 2017. The PCC may have found the Panel challenging but she has been very supportive.
2. Panel member Tina's last meeting after standing down. Thanks very much for her contributions.
3. Sgt. Morgan has supported the Panel during 2021 including the document management system. Thank you. Sgt. Morgan is now moving back full time to the Constabulary.
4. Thank you very much to Panel member Margaret for the blog, which is with the Communications team, to publish.
5. New Panel member appointment is on hold for the newly elected PCC.
6. Face-to-face meetings may be in September 2021 but members will be consulted for preferences.
7. The next Constabulary Internal Scrutiny Group meeting is 14th May 2021. Panel comments are channelled to that Group and the Panel's report is also shared.
8. 9th June 2021 is the next Panel meeting with no pre-meeting case reviewing. We are consulting with the Lammy Group Chair re: Lammy work and HMICFRS report, for June case review themes.
9. Noted: Panel members approved all previous Panel Reports for publication.

Appendix 1: Summary of reviewed cases

PANEL CASE REVIEWS and CONSTABULARY RESPONSES

1. Stop and Search – Total of 30 cases selected for review

- 1.1 Stop and Search of Black ethnicity subjects in Somerset (6 cases)
- 1.2 Stop and Search of under 16 year olds (6 cases)
- 1.3 Stop and Search where nothing was found – Somerset location (6 cases)
- 1.4 Stop and Search - No reasonable Grounds (4 cases)
- 1.5 Stop and Search - Different items found from search reason (2 cases)
- 1.6 Stop and Search related Complaints from members of the public (6 Cases)

Note 1: If an object is found for the case then this is stated.

Note 2: 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.

Member Feedback Form 9 questions, as below, all have positive answers unless stated in the case summary:

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 Police behaviour need further review?
6. Is the whole interaction recorded on the BWV?
7. Are the 'GOWISELY' items provided?
8. Were there reasonable Grounds to suspect the object would be found?
9. Did the officer ask for personal information prior to or during the search and if so did she/he create the impression that the individual was obliged to do so?

1.1 STOP & SEARCH of Black ethnicity subjects in Somerset (6 cases)

Case 1: Stop & Search 02/12/2020 at 13:01hrs.

BWV database narrative: 3 males approached by plain clothes officers, walk away one male walks down road to hers carry on they are detained at 6 minutes into BWV grounds given for SS. a member of public saw one male discard a flick knife.

Grounds: Both males are not from the local area currently on Baker Street where recent intel has been received that new drug runners have set up base in a nearby address, the

street is known for drugs supply. on request to stop and identification of a police officer, one member of the group ran off and the other two males initially refused to stop.

Positive member feedback: Amiable Officer engagement with relaxed compliant males.

Member concerns and questions:

1. Initially the Officer was taking personal details and checking the people before the decision to search. Is this correct procedure?
2. Then decision made to search on stated ground that they had walked away when plain clothed officer had asked them to stop. Is this adequate grounds for a search?
3. After the negative search the officer says the people don't have to provide their personal details!! Then one male was told he would be arrested unless he can prove his identity. Is this correct?
4. Nothing found. Why were the officers taking note of the mobile phone IMEI number? Is that required?
5. Female officers were persistent in getting the ID from the second detained person, even though nothing was found on the search.

Member Feedback Form responses from 2 members:

1. If force was used, was it appropriate? **Not applicable (N/A)**
2. Did the Police make correct decisions throughout this episode? **Unsure**
3. Was the Police behaviour free from any stereotyping or assumptions? **Unsure**
4. Was the incident free from demonstrable discriminatory behaviour? **Unsure**
5. Does the Police behaviour need further review? **Unsure (1), No (1).**
6. Is the whole interaction recorded on the BWV? **Yes**
7. Are the 'GOWISELY' items provided? **Yes**
8. Were there reasonable Grounds to suspect the object would be found? **Unsure**
9. Did the officer ask for personal information prior to or during the search and if so did she/he create the impression that the individual was obliged to do so?
Yes & Yes. Officer asked subject for ID and name before the search.

Constabulary response: The Constabulary thanks the Panel for its feedback in this case. It is common practice in general policing to ask people for their details and check them against Police systems – this is not specific to stop search - and does not have to be done at a certain point during an interaction, i.e. before GOWISELY is given.

Walking away from an officer having been requested to stop could constitute grounds for search if the officer felt that this provided suspicion that the person's actions were an attempt to prevent an illegal item being carried being located by the officer.

IMEI numbers (International Mobile Equipment Identity) are helpful in terms of intelligence – the process by which they are obtained during stop search is currently under review to ensure the Constabulary is complying with ECHR obligations in this area.

Case 2: Stop & Search 16/12/2020 at 06:33

BWV narrative: 999 call to police two males trying to break into stables. 3 males found in area detained and searched search commences 12 minutes into BWV. One male found in possession bolt croppers.

Grounds: 3 males were found in the close vicinity of a report of a potential burglary in a secluded area

Positive member feedback: Patient Officer. The search only occurred after enquiries regarding the subject's ID. The male with the bolt croppers is sent on his way. Uncooperative subject detained for strip search.

Member concerns and question:

1. The Officer asked the person for ID before the search. The third detainee asked 'Do I have to give it?' (at 2:37 mins into the video footage) and the female officer responded 'Yes please'. Is this right?
2. It's not clear why one male is handcuffed during the search.
3. It's not clear why one person is arrested and taken to custody.

Member Feedback Form responses from 2 members:

1. If force was used, was it appropriate? **N/A (1), Unsure (1).**
2. Did the Police make correct decisions throughout this episode? **Unsure (1), Yes (1).**
9. Did the officer ask for personal information prior to or during the search and if so did she/he create the impression that the individual was obliged to do so? **Yes & Yes.**

Constabulary response: The Constabulary notes the Panel's feedback, with thanks. Regarding the observation about asking the detainee for ID, persons detained for stop search do not have to provide their name or address, either verbally or by other means (such as producing ID). This will be reiterated to officers in the Constabulary's next quarterly stop search bulletin (Summer 2021).

Case 3: Stop & Search (section 23 of the Misuse of Drugs Act) 6/1/2021 at 12:35hrs.

BWV narrative: 4 males detained for s.23 MDA search cannabis found.

Grounds: vehicle <...> was registered in London and had just left the Travel lodge in Wellington after seeing a known drug user who 2 days before was with a male arrested and found in possession of drugs with intent to supply had just entered. the vehicle left the industrial estate but immediately went back inside and went to the Costa drive thru before returning to the Travel lodge which was very strange. The vehicle had 4 males inside. When officers tried to talk to the males and requested them to stop when they were entering the hotel, they refused and tried to get away from officers. Once all 4 males had stopped there was a strong smell of cannabis coming from them.

Positive member feedback: Fairly amiable. Officer fairly quickly accepted the male's lack of communication. No issues for one Panel member with the Officer whose BWV was watched, who is polite and courteous to the detainee who expresses he does not give his permission for a search and is mostly uncommunicative.

Member concerns and questions:

1. The other Officers on the scene appear to be much more forceful/aggressive and appear to escalate tensions with the detainee wearing shorts.
2. The BWV is switched on late and the footage times-out during the room search.
3. The Officer doesn't state the GOWISELY acronym items.
4. The Officer refers to someone else explaining the search reason. The male say he doesn't know the why but the officer simply carries on.
5. Phones are removed at the outset and investigated. What is the authority for this and what information is retrieved?
6. What is the authority/reason to search the hotel room and car?

Member Feedback Form responses from 2 members:

1. If force was used, was it appropriate? **N/A (1), Yes, minimal, held jacket (1).**
2. Did the Police make correct decisions throughout this episode? **Unsure (1), Yes (1).**
5. Does the Police behaviour need further review? **Unsure (1), No (1).**
6. Is the whole interaction recorded on the BWV? **No**
7. Are the 'GOWISELY' items provided? **No (1), Yes (1).**
8. Were there reasonable Grounds to suspect the object would be found? **Unsure (1), Yes (1)**
9. Did the officer ask for personal information prior to or during the search and if so did she/he create

the impression that the individual was obliged to do so? **Yes & Yes (1), No (1).**

Constabulary response: The Panel's feedback is noted in this case. This has been shared with the officer's supervisor for review and sharing of learning. The review of mobile phones during stop searches is currently under review to ensure the Constabulary is compliant with ECHR obligations. The search of the vehicle was conducted under s.23 Misuse of Drugs Act. The hotel room was searched consensually, with the permission of the occupants.

Case 4: Stop & Search (section 23 Misuse of Drugs Act) 21/01/2021 at 01:12hrs.

BWV narrative: Police find male in car driver's seat in suspicious circumstances, male has no ID. Showing as having a provisional driving license. Car keys in ignition and strong smell of cannabis. S.23 MDA search of person and car. Locate cannabis joints in car. During search of car they also find a knife. Arrested.

Grounds: Car smelt of cannabis, in a known area for drug use parked on roadside during national lockdown. Driver not local.

Positive member feedback: Steady straight forward interaction

Member Feedback Form responses from 2 members:

9. Did the officer ask for personal information prior to or during the search and if so did she/he create the impression that the individual was obliged to do so? **Yes & Yes (1), No (1).**

Constabulary response: The Panel's observations are noted, with thanks.

Case 5: Stop & Search (section 23 Misuse of Drugs Act) 1/2/2021 at 16:37

BWV narrative: Police attend an address after reports of abandoned 999 call from that location. When Police gain entry they find a large group of people inside. There is a breach of COVID regulations and most people are searched under S.23. Arrest of male, wanted on warrant for failing to appear at court.

Grounds: He has been found at the address giving his home address as coming from Nottingham. The local address is full of drug paraphernalia.

Positive member feedback: A steady and straightforward combination of Covid-19 regulations engagement and a Stop and Search.

The officer did ask for personal information but this was a Covid-19 regulation encounter too.

Constabulary response: The feedback of the Panel is noted in this case, with thanks.

Case 6: Stop & Search 22/02/2021 at 04:09hrs.

BWV narrative: Police attend vehicle that has been broken into and locate a male nearby acting suspiciously with van keys. He is stop searched. Male is believed to be a missing youth from Bristol.

Grounds: Male acting suspiciously in the vicinity of a vehicle that appeared to have been stolen or broken into. Appeared to walk away from police on spotting them.

Positive member feedback:

Good GOWISELY items. Covid-19 breach and missing person aspect too.

Member concerns and questions:

1. The Officer said the male had to give his name under Section 50 and failure would lead to his arrest. Please explain?

2. Also, it's not clear from the Police information received why handcuffs were immediately applied. 3. What Covid-19 breach was alleged because the subject was out on his own? 4. In asking for name and address the officer quoted "Section 50 of the *Crime Prevention Act*". Did she mean Section 50 of the *Police Reform Act 2002*? Also why was that considered applicable?

Member Feedback Form responses from 2 members:

9. Did the officer ask for personal information prior to or during the search? **Yes but Officer accepted the person's refusal.**

Constabulary response: The Constabulary notes the Panel's feedback with thanks. Regarding Section 50 being quoted by the officer – it would appear the officer has quoted the correct section, but incorrect legislation mistakenly.

Based on the circumstances – a report from a member of the public that the occupants of two vehicles had been outside the school for nearly an hour in the early hours of the morning and had been heard opening and closing car doors repeatedly, making a noise, it is reasonable that the officer considered s.50 of the Police Reform Act as this could constitute anti-social behaviour.

The initial report from the member of the public described more than one vehicle present, so whilst only one person was located, officers had information relating to a potential COVID breach prior to attending.

1.2 STOP & SEARCH of under 16 year olds (6 cases)

Case 7: Stop & Search 1/12/2020 at 16:44

BWV narrative: Male detained matching description of Robbery suspect from previous day. Searched. Long discussion over providing details to officers.

Grounds: Recent report of a young male on the cycle track described as having an under-developed goatee who threatened a member of the public with a knife.

Positive member feedback: Clear GOWISELY items stated.

Member concerns:

The male refused to provide his personal details from the outset. It is a negative search (no knife is found). Officers persisted in asking for the man's name, saying variously, you have to, once you have you can go, we can get details from your YOT (Youth Offending Team) worker, we need to find out if you are wanted, we can tell your YOT worker you are behaving yourself. As this didn't work the Officer used Covid Regulations, saying the person would be arrested for failing to provide details.

Note: This case was highlighted for all members to review together during the Panel meeting. Additional member feedback included these concerns:

- The BWV was switched on late/into the incident.
- The impression that the Officer wanted to get the person for anything, e.g. Covid and mixing with different households. The member understands that linked households are allowed within Covid-19 Guidance.
- Officers tried to elicit the child's name. They didn't want a receipt and a name isn't necessary for a receipt in other incidents.
- Sad to see Covid-19 being used as a tool to force a youth to give their personal details.
- Weston-super-Mare Officers often request a person's name.

- General Panel feedback: Good feedback goes to the Officer but negative goes in to a pot of learning. Positive not punitive learning is good but it's important to feed back to individual Officers to development. This is a repeated theme. It may be that general learning is not landing on individuals.

Member Feedback Form responses from 2 members:

1. If force was used, was it appropriate? **N/A**
2. Did the Police make correct decisions throughout this episode? **No (1), Yes (1).**
3. Was the Police behaviour free from any stereotyping/assumptions? **Unsure (1), Yes (1)**
4. Was the incident free from demonstrable discriminatory behaviour? **Unsure (1), Yes (1)**
5. Does the Police behaviour need further review? **Yes (1), No (1).**
9. Did the officer ask for personal information prior to or during the search and if so did she/he create the impression that the individual was obliged to do so? **Yes & Yes. Officer asked subject for name. Said it was for the receipt.**

Constabulary response: During the Panel meeting:

This is disappointing. A missed opportunity to build public confidence, to chat. There was some banter and a joke about undercover officers and track suits. It is inappropriate regarding the child. The Grounds should including that there have been a spate of robberies on the cycle track and the description of the young person.

The Officer's mask is worn under his chin. What's the aim of this Stop and Search and the Covid breach engagement? If it was for the Public's Safe, the officer wasn't doing it unfortunately.

This will be fed back to Officers, for learning and a debriefing to Supervisors.

A Patrol Officer can ask for a person's name, but for a Stop & Search the person has no obligation to provide their name.

There is a duty of care to the under 18 year old and the report of a bladed item.

Safeguarding should be done. If the name gain is for a purpose then that's ok. There is an ASB power to demand a name for under 18s. Officer education is needed, to know when to ask and not to ask for a person's name.

There are clearly lessons on this case. Some learning is better via training process and organisational issues.

Additional response: The Constabulary notes the observations already made during the Panel meeting. Further work is being done around the requesting of personal details during a stop search and has been included in internal scrutiny work going forward. The feedback has been provided to the officer's supervisors for follow up and sharing of learning.

Case 8: Stop & Search 17/12/2020

Grounds: We have received a call that a group of 4 males have been seen trying car door handles and door handles, the group had been described as 4 young white males around 16 wearing all black clothing with their hoods up. The informant updated the information to state that the males were now carrying a plastic bag with a box inside that he feared had been stolen from a vehicle or house. We spotted 4 males matching the description in the location that had been noted by the informant

Note: No BWV for Panel members to review because it wasn't marked as 'evidential'. Two officers had BWV at the time.

Constabulary response: The Constabulary notes the Panel's feedback around the BWV not being marked as evidential. This is part of an ongoing focus by the Constabulary and technical solutions are also being considered to reduce the likelihood of stop search BWV not being saved correctly.

Case 9: Stop & Search 17/01/2021 at 18:23hrs.

BWV Narrative: Males are located on building site and they are told they are going to be searched on suspicion of Burglary. All 4 males are searched.

Grounds: Subject was found on a secure building site, after seen climbing through the security fencing. It's dark and subject was hiding from officers. He was also breaching Covid restrictions.

Positive member feedback: Officers are calm and courteous and ensure the males safely exit the building site. Also the Officer phoned the carer of one and took others home to talk to carers about the incident and Covid-19 breaches.

Member comment: Panel members haven't been given BWV of each search.

Member Feedback Form responses from 2 members:

9. Did the officer ask for personal information prior to or during the search? **Yes & yes.** People found in enclosed premises and also a Covid-19 breach.

Constabulary response: The Constabulary thanks the Panel for its feedback, which has been provided to the officers concerned and their supervisor.

Case 10: Stop & Search 01/02/2021 at 12:06

BWV narrative: Two males detained from a group, one is searched.

Grounds: Males seen on CCTV exchanging packages with other known drug users in Bridgwater. Evasive when approached by police.

Positive member feedback: A really good engagement by the officer with a peasant, amiable and avuncular interaction. The Officer is very courteous. The Officer quickly establishes a rapport with the young man (aged 16) and gives friendly words of advice which is heartfelt. Stop Search grounds are given and the subject admits being in possession of a grinder. Overall it is a good-natured encounter with a co-operative subject.

Member concerns: The start is missing from the BWV footage. The Officer takes personal details after a negative search. Also the Officer states that the period of exercise under Covid Regulations (Feb 2021) is limited to an hour, after which the subject is under curfew.

Member Feedback Form responses from 3 members:

2. Did the Police make correct decisions throughout this episode? **Unsure (1), Yes (2).**

6. Is the whole interaction with the member of the public fully recorded on BWV? **No (1), Yes (2)**

9. Did the officer ask for personal information prior to or during the search and if so did she/he create the impression that the individual was obliged to do so? **Yes&Yes, Yes&No, Yes&No: Asked name for better initial engagement. Freely given.**

Constabulary response: The Panel's feedback, which has been shared with officers and their supervisor, is noted with thanks.

Case 11: Stop & Search 16/02/2021 at 21:19hrs.

BWV narrative: Three males run off from Police. One person is detained and searched.

Grounds: Male was part of a group who had made off from officers and smelt strongly of cannabis. They were found in a remote location and officers suspected they had been using drugs together. The male subsequently stated he had recently consumed some cannabis supplied to him by another member of the group.

Positive member feedback:

No issues. Officer calm, courteous and relaxed with good engagement and interaction with the young male.

Member concerns and question: Grounds are weak: i.e. that some of the group ran off and a smell of cannabis. Also personal details taken.

Member Feedback Form responses from 3 members:

2. Did the Police make correct decisions throughout this episode? **Unsure (1), Yes (2).**
8. Was there reasonable Grounds to suspect the object would be found? **Unsure (1), Yes (2).**
9. Did the officer ask for personal information prior to or during the search and if so did she/he create the impression that the individual was obliged to do so? **Yes&Yes, Yes&No, Yes&No: Asked name for better initial engagement. Freely given.**

Constabulary response: The Constabulary notes the feedback in this case – thank you.

Case 12: Stop & Search 02/03/2021 at 16:09hrs.

BWV narrative: Group of 3 females see police officers and start running off. They are in an area where there are reports of young girls being used for drugs. All 3 are detained and searched.

Grounds: Officers have witnessed subject in company with two other young females in a location where there has been reports of recent drug activity. There has also been recent incidents where young females have been found in possession of class A drugs. Upon seeing officers, the three ran, forcing officers to pursue and detain.

Positive member feedback:

Good natured and responded appropriately to females. Handcuffs initially applied to one subject but a clear reason is given and the handcuffs are immediately removed as the subject is co-operating.

Relaxed/compliant engagement with a clear explanation of the reasons for the search.

Member concerns and question:

1. Is there adequate grounds or a wrong place and time and reaction i.e. ran off? The subjects explain the fear of a Covid fine made them run.
2. One female is handcuffed. Is this excessive force?
3. The Officer took full details and made police checks on the people, giving the impression they had to. The females are understandably worried what the police will do with that information e.g. to schools, parents and/or carers.

Member Feedback Form responses from 3 members:

1. If force was used, was it appropriate? **Unsure (1), N/A (2)**
2. Did the Police make correct decisions throughout this episode? **Unsure (1), Yes (2).**
3. Was the Police behaviour free from any stereotyping/assumptions? **Unsure (1), Yes (2)**
5. Does the Police behaviour need further review? **Yes (1), No (2).**
8. Was there reasonable Grounds to suspect the object would be found? **No (1), Yes (2).**
9. Did the officer ask for personal information prior to or during the search and if so did she/he create the impression that the individual was obliged to do so? **Yes&Yes(1). Yes&No(2). Officer asked subject for name and address prior to the search.**

Constabulary response: The Constabulary notes the Panel's feedback in this case. The feedback has been shared with officers and their supervisor. In relation to the taking of personal details, this remains to be an area of review going forward as part of the Constabulary's internal stop search scrutiny and will be reiterated in the Constabulary's Summer 2021 stop search quarterly bulletin.

1.3 STOP & SEARCH where nothing was found – Somerset location (6 cases)

Case 13: Stop & Search 20/07/2020 at 16:25hrs.

BWV narrative: Male approached and searched. Nothing is found. Then other officers attend and try to talk to male about him MHI.

Grounds: Male reported to be in possession of a small knife. Reports of him trying to self-harm.

Positive member feedback: Officers recognise the limits to their powers and the aggravation to the member of the public of trying to engage with him. Officers really want to assist the man who they had been informed might harm himself. It was evident they tried to engage with him, but stepped away when the man made it clear their presence was making the situation worse.

A resentful subject, unwilling to talk to officers, although the man did submit to a search for a knife he reportedly had. Nothing is found. Despite some concerns, Officers wisely recognise that they had no further grounds to detain the man.

Constabulary response: The Panel's feedback, which has been shared with the officer concerned and their supervisor, is noted with thanks.

Case 14: Stop & Search (s23 Misuse of Drugs Act) 05/09/2020 at 21:21hrs.

BWV narrative: Police approach <C> who is Taser red dotted. He is detained for a search. Second male <A> approaches and is also detained for a search because they had run off from Police. A positive first Stop Search.

Grounds: As officers drove to the end of the road, 4 people came around the corner towards officers. As they walked past officers, the police vehicle began to turn around and <W> began to run. Officers caught up quickly with <W>. <A> walked up to officers and stopped in company with them. <W> and <C> stated they had just been at ... HIGHBRIDGE. As this address has links with county lines and <W> also has links with county lines and the address, a Section 23 Misuse of drugs act search was conducted.

Positive member feedback: Polite, calm and courteous Officers, answering questions from the two subjects stopped and searched. The whole interaction with the member of the public is fully recorded on BWV footage up to the time of the strip search.

Member concerns and question: As with many of these Stop and Search reviewed cases, the first action of the Police Officer is to ask the people their names, even before the people know they have been detained for a Stop and Search. In this incident, after a negative search the Officer takes personal details.

Member Feedback Form responses from 3 members:

9. Did the officer ask for personal information prior to or during the search and if so did she/he create the impression that the individual was obliged to do so? **Yes&Yes(1). Yes&No(2). Officer asked subject for name at the initial contact.**

Constabulary response: The Constabulary notes the Panel's feedback in this case. It has been shared with the officers' supervisor for sharing of learning and positive observations. In relation to the considerations around personal details, this remains to be an area of review for the internal scrutiny team and will be addressed in the next quarterly stop search bulletin.

Case 15: Stop & Search 08/09/20 at 21:10hrs.

BWV narrative: Vehicle stopped after seen acting suspiciously. From Midlands. Stopped a month ago and found cannabis inside it. Search of male driver is negative. Then search car and female occupant. Female is found in possession of a cannabis joint and dealt with by way of Drugs Education Program (DEP).

Grounds: Vehicle linked to drug supply. Cannabis located in the vehicle less than 1 month ago. Vehicle completed suspicious journey, from West Midlands, staying for only a few minutes before leaving again.

Positive member feedback: Officers are polite and respectful and the detained persons are compliant. The Officer gives careful consideration to whether or not a search is necessary. Drugs were recently found in the same vehicle, driven from West Midlands.

Member question:

Are there adequate grounds? This car was stopped a month ago and cannabis was found.

Member Feedback Form responses from 3 members:

2. Did the Police make correct decisions throughout this episode? **Unsure (1), Yes (2).**
5. Does the Police behaviour need further review? **Unsure (1), No (2).**
8. Was there reasonable Grounds to suspect the object would be found? **Unsure(1), Yes(2).**
9. Did the officer ask for personal information prior to or during the search and if so did she/he create the impression that the individual was obliged to do so? **Yes&No(1). No(1). Vehicle search (1).**

Constabulary response: The Constabulary notes the Panel's feedback, which has been shared with the officer's supervisor to discuss with the officer, with thanks.

Case 16: Stop & Search (PACE section 1) 06/07/2020 at 22:21hrs.

BWV narrative: Female detained and searched for knife after report to Police.

Grounds: At 22:48hrs we received a call from a member of the public stating they can hear a female in the field behind FRIARS WAY screaming, stating she did not want to be brought down to BURNHAM. It states she was talking about drugs and money. The log states that the male is running after her and said 'I WILL GENUINELY STAB YOU'. The Male then ran after her and the informant could see he had a flash light. On attendance we had passed a male with a phone that was lit up, At this point a male approached and starting talking and alleging that the female had a knife and threatened him with it. The male is WHITE, <K> and was spoken to by 2 Officers, A Section 1 of PACE Stop Search was performed on <W> and <K> as there had been mention of a knife.

Positive member feedback: Officer and courteous. It is good natured incident.

Member concern: BWV is turned on late so the grounds for the search are not entirely clear.

Member Feedback Form responses from 3 members:

2. Did the Police make correct decisions throughout this episode? **Not known (1), Yes (2).**
6. Is the whole interaction recorded on the BWV? **Not the start (2), Yes (1).**
7. Are the 'GOWISELY' items provided? **Partly as the initial engagement is not on the BWV (2), Yes (1).**
8. Were there reasonable Grounds to suspect the object would be found? **Not known(2), Yes(1)**
9. Did the officer ask for personal information prior to or during the search and if so did she/he create the impression that the individual was obliged to do so? **Yes & No (1), No (2).**

Constabulary response: The Constabulary notes the Panel's feedback in this case, with thanks.

Case 17: Stop & Search 23/07/2020

BWV narrative: Police see male throw something over fence when he sees them.

Grounds: Suspect walked past officers smoking material that smelt of cannabis. The smell was not likely attributable to anyone else. The suspect then threw the cigarette end over an inaccessible fence.

Positive member feedback: Well controlled. A nice Officer with an amiable attitude. GOWISELY items are fully explained.

Member concerns and question:

1. Members felt the Officer gave the impression that the man *had to* give his name. His ID (bank card) is taken from his wallet at this time.
2. The only ground stated at the outset is a smell of cannabis. Is this enough grounds?
3. After a negative search the Officers ask for personal information from the man, to do a PNC check. Is there any justification for this?

Operational learning point: For most Stop and Search case, Officers are asking for personal details (name/ID). Training is required on the subject of personal information requests at a Stop and Search.

Member Feedback Form responses from 2 members:

2. Did the Police make correct decisions throughout this episode? **Unsure (1), Yes (1).**
5. Does the behaviour need further investigation? **Unsure (1), No (1).**
7. Are the 'GOWISELY' items provided? **Yes, very well and fully.**
8. Were there reasonable Grounds to suspect the object would be found? **Don't know(1), Yes(1)**
9. Did the officer ask for personal information prior to or during the search and if so did she/he create the impression that the individual was obliged to do so? **Yes & Yes (2).**

Constabulary response: The Panel's feedback in this case is noted - thank you. The Constabulary has recently refreshed the direction that smell of cannabis alone is insufficient to provide grounds for search.

In this case there is an additional element of the cigarette actually being seen to be smoked at the time of the stop. The smoking cigarette producing the smell, as opposed to as it generally being in the air, combined with the person's actions in throwing it over an inaccessible fence could be considered additional elements to the smell alone in providing grounds for search.

The point raised regarding personal details remains to be an area of review for the internal scrutiny team and will be visited in the Summer 2021 stop search quarterly bulletin.

Case 18: Stop & Search 02/08/2020 at 01:02

Grounds: Police were flagged down by Door staff indicating a male was in possession of a bag of white powder.

Positive member feedback: Relaxed and straightforward Stop Search. The GOWISELY items are fully stated. ID is found in the person's wallet but no impression is given by the Officer that it is required, nor is it used for a PNC check once located.

Member Feedback Form responses from 2 members:

9. Did the officer ask for personal information prior to or during the search and if so did

she/he create the impression that the individual was obliged to do so? **Yes&Yes (1), No (1).**

Constabulary response: The Constabulary notes the Panel's feedback in this case.

1.4 STOP & SEARCH - No reasonable Grounds (4 cases)

Case 19: Stop & Search (s23 Misuse of Drugs Act) 10/07/2020 at 23:57hrs.

BWV narrative: Search of person and vehicle. Detainee fails drug wipe test and found cocaine in his sample. Arrested for drug driving, S32 PACE search completed. **Grounds:** Vehicle was stopped in suspicious circumstances, these being that the vehicle was notified off road and the driver stated that he did not have a licence there was also a strong smell of cannabis from the person. Driver behaviour was quite erratic when questioned on the smell.

Note: Police officer's coat covers BWV camera so cannot see search.

Positive member feedback: GOWISELY items fully explained. Excellent. Amiable too.

Operational policing questions:

1. Why don't all Police vehicles carry drug testing kits?
2. The only stated ground for the Section 23 Misuse of Drugs Act search is the smell of cannabis. This isn't sufficient?
3. Although the search is questionable under s23, is it justified after an arrest?
4. Reminder to Officers to ensure BWV lens does not get covered by clothing/outer garments.

Constabulary response: The Panel's feedback in this case is noted, with thanks. The Panel's observations have been passed to the officer's supervisor for review and sharing of learning.

In relation to the questions raised – drug testing kits aren't routinely put in Police vehicles, they are often issued to officers directly. Cost implications and training requirements mean that they are mainly held by Roads Policing Unit officers, who support Patrol colleagues with requests when required at the roadside.

The smell of cannabis alone is insufficient to provide grounds for search – this has recently been refreshed within the Constabulary to ensure all officers are aware. The powers used for search after arrest are different to stop search so it is not possible to compare the two.

Case 20: Stop & Search 12/07/2020 at 21:18hrs.

Grounds: Intel regarding drug dealing on car. Car stopped and occupants searched.

This BWV case has already been reviewed by the Panel (10/12/2020 meeting report, case 12).

Case 21: Stop & Search 14/07/2020 at 00:04hrs.

BWV narrative: Male and female searched. Male arrested for possession of a lock knife.

Grounds: Vehicle sighted and followed. Drove in a loop and then out of town in a suspicious manner. Vehicle stopped and driver and occupants spoken to. Given area, time of night and behaviour, detained.

Positive member feedback:

Good attitude throughout, conducted in a nice manner but the Officer who is amiable and clear.

Member concerns and question:

1. The BWV ends early and it seems it was switched off for a private conversation with the Sergeant?
2. The female is told to stop because the vehicle's lights are out. The male is told it's because of the manner of driving. Does that justify a Section 23 of the Misuse of Drugs Act search?

Member Feedback Form responses from 2 members:

6. Is the whole interaction recorded on the BWV? **No (1), Yes (1).**
7. Are the 'GOWISELY' items provided? **No (1), Yes (1).**
8. Were there reasonable Grounds to suspect the object would be found? **Don't know (2).**
9. Did the officer ask for personal information prior to or during the search and if so did she/he create the impression that the individual was obliged to do so? **Yes & Yes (2).**

Constabulary response: The Panel's observations in this case are noted, with thanks. The feedback has been shared with the officer's supervisor for review and onward sharing with the officer concerned, including considerations around the connection between driving behaviour and suspicion of drug possession – making clear the link in the officer's mind that led to grounds being formed.

Case 22: Stop & Search 13/07/20 at 02:46hrs.

BWV narrative: Male detained matching description of male carrying knife seen by CCTV. Stopped and searched. **Grounds:** You match the description of a male reported carrying a bladed article

Positive member feedback: An amiable interaction.

Member concerns and question:

After this negative search, the female officer told the male officer, who seemed uncertain of what to do, to take the male's personal details and put them through the Police National Computer (PNC). Why was there a PNC check?

Member Feedback Form responses from 2 members:

2. Did the Police make correct decisions throughout this episode? **Unsure (1), Yes (1).**
5. Does the behaviour need further investigation? **Unsure (1), No (1).**
6. Is the whole interaction with the member of the public fully recorded on BWV? **No, omits the start and end (1), Yes (1).**
9. Did the officer ask for personal information prior to or during the search and if so did she/he create the impression that the individual was obliged to do so? **Yes & Yes (2).**

Constabulary response: The Constabulary thanks the Panel for its feedback in this case. In relation to the matter regarding personal details and checking them against the Police National Computer – this is a common practice in general policing, not just limited to stop and search. The internal scrutiny team are including the request for personal details in their review work, to ensure that people are aware that they are under no obligation to provide the information, although it does not prohibit the request being made by the officers if done in the correct way.

1.5 STOP & SEARCH - Different items found from search reason (2 cases)

Case 23: Stop & Search 25/07/20 at 21:47

BWV narrative: Officers detain 3 youths based on fact they match description of suspect in robbery nearby, SS is from start to 08:00 minutes then one is arrested at 21:45 mins.

Grounds: Matching the description of a robbery that occurred on Doncaster road.

Positive member feedback: A clear explanation throughout and although a negative outcome, there is an arrest for robbery because of other information. An amiable encounter.

Member concerns and question: After a negative search the Officer asks for the male's personal details and makes a PNC check. Why?

Member Feedback Form responses from 2 members:

2. Did the Police make correct decisions throughout this episode? **Unsure (1), Yes (1).**

5. Does the behaviour need further investigation? **Unsure (1), No (1).**

9. Did the officer ask for personal information prior to or during the search? If yes, did she/he create the impression that the individual was obliged to do so? **Yes & Yes (1), No (1).**

Constabulary response: The Constabulary notes the Panel's feedback in this case, with thanks. In relation to the matter regarding personal details and checking them against the Police National Computer – this is a common practice in general policing, not just limited to stop and search. The internal scrutiny team are including the request for personal details in their review work, to ensure that people are aware that they are under no obligation to provide the information, although it does not prohibit the request being made by the officers if done in the correct way.

Case 24: Stop & Search 27/07/20 at 12:45hrs.

BWV narrative: Male detained SS under S1 PACE after male driving suspiciously, no BWV of actual person SS but GOWISELY is partially captured on BWV, the BWV is of vehicle search. At 08:54 mins find drugs in car.

Grounds: Officers have been driving down Two Mile Hill Road when a male driving the other direction has caught their attention. Officers have turned around and at this point the male has abandoned the vehicle he was driving upon seeing Police turn and has fled into a near by shop in an attempt avoid Police. He was trying to hide from Police and had acted suspiciously so was detained under Section 1 PACE.

Positive member feedback:

Very well handled considering the communications issues, including offering the Drugs Education Program.

Member concern: No BWV footage has been provided of the Stop and Search of the male.

Member Feedback Form responses from 2 members:

6. Is the whole interaction recorded on the BWV? **No (1), Yes (1).**

7. Are the 'GOWISELY' items provided? **Not fully (1), Not known (1).** See concern above.

9. Did the officer ask for personal information prior to or during the search and if so did s/he create the impression that the individual was obliged to do so? **Not known (1), Not until the drugs arrest (1).**

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

1.6 Stop & Search related Complaints – 6 Cases

Case 25: Stop & Search 28/10/2020 00:44

Complaint allegation: Complainant dissatisfied that she was stopped in her vehicle and threatened with arrest by officers following Intel received that she had made someone scared for their life

BWV narrative: Two persons stopped in vehicle during Op COBB (Badger Cull Operation) detained no search then released.

Note: Duplicate case.

This has already been reviewed by the Panel (10/12/2020 meeting report, case 58).

The Officer failed to answer the female's questions of what was the power to stop and ask for personal details, which suggests if he had a power he would have answered.

Case 26: Stop & Search 05/11/2020 17:50 Weston-super-Mare

BWV narrative: Male seen driving in dangerous way stopped, male left car before police able to detain them, male spoken to detained and then searched under S.25 MDA person and vehicle searched. Negative Stop Search: The complainant alleges that the officers ignored Covid distancing guidelines. They did not respect his simple request to maintain social distancing and initially did not wear face masks. When they did put on face masks they did not wear them correctly

Positive member feedback: None.

Member concerns: A Panel member thinks the male officer's attitude is very poor throughout this case. He was at times bordering on being aggressive and threatening. It's really surprising to see this handled as poorly as it is. It is understandable that Officers at times need to be assertive, but the Panel member feels this went way beyond being acceptable.

A second Panel member comments: From the beginning of the BWV the male Officer is confrontational, belligerent and shouting. The male subject was at times irritating but this does not explain or excuse the Officer's manner and using expressions such as "Don't film me". The Officer's attitude is disgusting, "Gob off", "Oh shut up" and "I will smash the window". When searching the car the male Officer picks up an ID card that the male subject is a Contractor for a Water Company and finds a letter from a Technology Company. The Officer declares both items are a find of enormous interest but the relevance to the Search Grounds for a section 23 (the summary states s25?) drugs search is questionable. The people are acting "suspiciously" and the passenger walked away from the car and was not stopped.

Individual learning suggestion:

The Panel suggests that some de-escalation or personal communications training is required by the male Officer. At times the female officer mirrors this behaviour too, but in no way as aggressively.

Note: This case was highlighted for all members to view together during the Panel meeting. Additional feedback is below:

- The male Officer is very threatening and authoritarian. The female Officer is better but should be less abrupt.
- Language such as "Stop being an idiot" is not appropriate from a Police Officer.
- Why was the other person allowed to walk away?

- It is not justified grounds for a Stop and Search?
- This is a specific case of concern and contrasts with other really positive, complimentary cases.
- “Suspected drugs”? Was that the Stop and Search grounds?
- What was the outcome of the complaint?

Constabulary response *During the Panel meeting: An unprofessional and officious Officer, horrifying and embarrassed to view the BWV. This is the opposite of what’s expected from an Officer’s behaviour. There is no power to stop the person walking away from the car. This feel like the Officers didn’t like the man’s attitude. This is the worst case viewed by the Scrutiny Panel. The “suspected drugs” was the Officer’s words only, not the Stop Search Grounds. A missed opportunity for engagement. “Ah ha. You HAVE got a mask!” The worst BWV viewed. There is nothing about the drug search until late into the incident. The letter is of no relevance.*

See Action 4.

Professional Standards Department response (PSD): This matter was dealt with locally and it was determined that the service provided was unacceptable. The officer has been spoken with and accepts that he became excessively agitated. He has received words of advice and an entry has been placed in his Individual Performance Review. Stop searches undertaken by him in the future will be subject to local dip sampling for review. An apology has been issued to the complainant.

Stop Search Lead Officer: *An unprofessional and officious Officer, horrifying and embarrassed to view the BWV. This is the opposite of what’s expected from an Officer’s behaviour. There is no power to stop the person walking away from the car. This feels like the Officers didn’t like the man’s attitude. This is the worst case viewed by the Scrutiny Panel. The “suspected drugs” was the Officer’s words only, not the Stop Search Grounds. A missed opportunity for engagement. “Ah ha. You HAVE got a mask!” The worst BWV viewed. There is nothing about the drug search until late into the incident. The letter is of no relevance.*

See Action 4.

Case 27: Stop & Search 12/11/2020 19:02 Weston-super-Mare

Complainant’s allegation: I was stopped while walking to my door from seeing McDonalds was closed across the road. Officer was impolite, aggressive and unreasonable. Had Taser drawn when I first saw her. I believe her attitude was due to my olive complexion and the very flimsy description of a man in grey joggers with a knife, walking from grand pier, which I had not walked from. Female officer searched me after man officer had searched me in front of 2 other man officers, without receiving or asking for permission. I suffer from depression, which has been made worst by this as well as leaving me feeling violated, embarrassed and angry.

BWV narrative: male detained and searched.

Positive member feedback: Good GOWISELY and the female Officer readily accepted the refusal to provide personal information. Interestingly the Officer was able to provide a Stop Search receipt without the person’s details.

Member concerns and question:

Unless things were particularly aggressive prior to the BWV start, the Officer’s reaction all seems a bit over the top, especially the drawing of the Taser. The man seems fully compliant and only becomes agitated in response to the female Officer’s actions and attitude. Also, the Panel member found her disrespectful conversation with the male officer after the event (at the end of the BWV), regarding the male subject.

The BWV started late. If there was footage from the beginning it may have explained why the Taser is drawn and the second Officer drew his baton.

The Panel member appreciates the possibility of a knife makes the Officer cautious and the male suspect is mouthy. The handcuffs are explained by the search for a knife. However, was the use of Taser appropriate?

Note: This case was highlighted for all members to view together during the Panel meeting. Additional feedback is below:

- The female Officer, mentoring, helpfully said to the other officer “We’re only looking for a knife and in this vicinity”.

Operational learning points:

1. Reflect: Was the level of aggression really necessary?
2. Personal information is not necessary to complete a Stop & Search receipt.

Member Feedback Responses from members:

1. If force was used, was it appropriate? **Unsure (2)**
2. Did the Police make correct decisions throughout this episode? **Unsure (2)**
3. Was the Police behaviour free from any stereotyping or assumptions? **Unsure (1), Yes (1)**
4. Was the incident free from demonstrable discriminatory behaviour? **Yes (2)**
5. Does the Police behaviour need further review? **Unsure (2)**
6. Is the whole interaction recorded on the BWV? **No (2)**
7. Are the ‘GOWISELY’ items provided? **Yes (2)**
8. Were there reasonable Grounds the object would be found? **Don’t know (1), Yes (1).**
9. Did the officer ask for personal information prior to or during the search and if so did she/he create the impression that the individual was obliged to do so? **Yes but the refusal is readily accepted.**

Constabulary response during the Panel meeting: *The Officer is being tutored and the tutor is mindful of the new Officer’s safety.*

The Member feedback responses [see above from 2 members] give differing views. No issue about the Taser due to the suspicion of a knife. Well dealt with, with a rationale at the outset. The female Officer’s body language is good. She is tutoring, giving instructions and guidance and doesn’t belittle the new Officer. She is a proactive Officer. There is de-escalation by the female Officer, saying “My lovely” and “The Gentleman” and with distance, the Officer puts the Taser away. Handcuffing a person is a two-handed task.

PSD response: A complaint investigation established that service was acceptable, no request to review this decision has been received. There were sufficient grounds to stop and search the complainant, the Taser was only drawn initially as a presence given the possibility of a knife, it was only raised for a very short period when the complainant put his hands in his pockets, thus raising concerns, it was lowered again quickly.

Stop Search Lead: *The Officer is being tutored and the tutor is mindful of the new Officer’s safety.*

The Member feedback responses [see above from 2 members] give differing views. No issue about the Taser due to the suspicion of a knife. Well dealt with, with a rationale at the outset. The female Officer’s body language is good. She is tutoring, giving instructions and guidance and doesn’t belittle the new Officer. She is a proactive Officer. There is de-escalation by the female Officer, saying “My lovely” and “The Gentleman” and with distance, the Officer puts the Taser away. Handcuffing a person is a two-handed task.

Case 28: Stop & Search

Complaint: My front room sofa was ripped all down and round the sides on the search which has resulted in my young daughter who is only 2 years old to slip her leg down the side of the sofa and get scratched (to bleed) by the nails and ripped parts, causing a long

stretch mark on her leg. She also had trauma from the way the officers aggressively entered my property when she was in her highchair and was screaming and shouting in her face. No regards to her safety whatsoever even though they were prompted by my neighbour before entry that a young child is in the house.

BWV: there is none of search.

No BWV is available so the Panel cannot evaluate or comment appropriately on this case.

Constabulary response

PSD: This was a pre-planned firearms operation involving Authorised Firearms Officers. It's unfortunate that a female and child was present. Officers were searching for a firearm so a balance has to be made when deciding tactics between the safety of the public and officers and the rights of the occupant(s).

The decision was made not to execute the search until a reasonable hour of the morning (10am) to ensure that children would be at school, people would be at work and the occupants of the house were likely to be awake and dressed. The service was deemed acceptable.

No request to review this conclusion has been received.

Stop Search Lead: *On review it does not appear that this occurrence number relates to a stop search – it relates to the execution of a firearms warrant and the subsequent search of the property following the arrest of a male from the address in question.*

Case 29: Stop & Search 25/11/2020 12:01

Complainant alleges officer did not take seriously his concerns that the stop and search was racially motivated and inappropriately asked 'are you talking about Black Lives Matters'.

BWV narrative: Male acting suspiciously, smell of drugs searched, negative result.

Duplicate case:

This case has already been reviewed by the Panel (9/3/2021 meeting report, case 31).

Case 30: Stop & Search 18/01/2021 13:48

Complainant alleges that the Officer was 'really aggressive and angry'.

BWV narrative: Vehicle pulled out in front of Police car causing it to stop. Vehicle pulled over and reported for careless driving. Driver was not searched, just detained.

Positive member feedback: None.

Member concerns:

Car stopped at 13:48:57hrs. First words spoken by the Officer are "What is your name". The Driver queries why. At 13:49:28hrs. the Officer says he will be reported for Driving Without Due Care And Attention and cautions him. The Officer's speech and demeanour is of someone agitated. The car had driven out in front of the marked police car.

The Officer is rather assertive when dealing with the man and his attitude reflected that of the office talking to him. This could have been handled better.

Questions: Why didn't the Officer at the outset engage with the Driver about his driving in a patient, steady way, to give him the opportunity to explain himself?

Member Feedback Responses from members:

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

Constabulary response

PSD: The officer has explained that as a matter of course he always asks for a driver's name to check it matches with details of the insured person(s). It is accepted in the report that this could be seen as more formal rather than a more relaxed approach. However it is also clear that the complainant was evasive and obstructive.

It was concluded that service was acceptable. No request to review has been received.

Stop Search Lead: *On review it does not appear that this was a stop search and relates to driving offences only. Any learning identified during the complaint process will be fed back to the officer in the normal way.*

2. Taser deployment (19 cases selected for review)

Member Feedback Form 5 questions, as below, all have positive answers unless stated in the case summary:

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?
6. Is the whole interaction with the member of the public fully recorded on BWV?

2.1 Taser related Complaints – 6 cases

Case 31: Taser 18/12/2020 22:52

Complaint allegation: Complainant (B) alleges officers used unnecessary and excessive force; 'pushed and threatened with a Taser and affected by pepper sprayed used at the scene' (M) alleges officers used unnecessary and excessive force; (C) who lives in the hostel was heavily pushed. He was stood near the flat talking to the officer asking the police to let (R) into the flat. He was pushed in the stomach/chest area. 2 officers walked out brandishing Tasers and threatened to use them. (A) had also been pepper sprayed and had an allergic reaction and they had to call an ambulance as he had an allergic reaction...'

BWV narrative: Officers attend to arrest male suspect who is agitated wants to see his girlfriend does not listen to officers. Resists arrest and handcuffs. PAVA is used and then threatened with TASER to stop resisting. Footage captures incident outside address with other people arrested for assaulting officers.

Positive member feedback: Officers are patient for some time before using force to effect the arrest.

Member concerns: A Panel member states that it is impossible to answer complaints from this one BWV but wonders if the availability of a van might have helped. Another member feels that the deployment of PAVA spray is a bit pre-emptive. The male subject is becoming more compliant and possibly de-escalation techniques could have been further pursued prior to the PAVA deployment. Initially the Officer at the front door has his Taser loosely held in his hand ready to be used if necessary, it seemed that the situation at the time did not warrant the drawing and holding of the Taser in readiness. It seems that Taser drawing and deployment in advance has become far more the norm than it used to be.

Operational learning point: More de-escalation techniques could have been used prior to the spraying of PAVA. Was it predetermined that the PAVA would be used? Rather than reactively drawing the spray, the Officer appears to be prepared in advance, with the spray already in hand well before the situation escalated.

Member Feedback response:

2. Did the Police make correct decisions throughout this episode? **Unsure (2).**

Constabulary response

PSD: This was a chaotic and hostile situation whereby four officers were assaulted and following review the force used was deemed appropriate.

The display of Taser and deployment of PAVA were directed towards a crowd which were hostile and encroaching on the officers on the floor trying to deal with the female and would not move back when informed to. For their own safety and protection the officers used PAVA into the crowd to gain compliance.

It is unfortunate that all persons sprayed felt the effects of the PAVA, however they were all offered aftercare advice, but instead of listening and taking it they abused the officers more.

The conclusion was that service was deemed acceptable.

No request to review has been received.

Taser Lead Instructor (TLI): The use of Taser was an appropriate Tactical Option for the Threat and Risk presented to officers.

Case 32: Taser 12/11/2020 at 19:03 hours.

Complaint allegation: Complainant alleges that officer discriminated against him on the basis of his ethnicity; "Officer was impolite, aggressive and unreasonable. Had Taser drawn when I first saw her. I believe her attitude was due to my olive complexion".

BWV narrative: Officers see male matching description of suspect seen in town carrying a knife. Stop Search completed with TASER drawn.

This case 32 is a repeat of the Stop and Search case 27 above.

Constabulary response not required.

Case 33: Taser 12/09/2020 at 23:16hrs.

Complaint allegation: Complainant alleges use of force as her boyfriend was knocked out by officers and Taser deployed which has now given him epilepsy.

BWV narrative: Officer arrives female detained on floor who has assaulted someone, another male on floor with clear head injury and looking unsteady on feet officer asks him to sit on wall whilst he deals with very aggressive woman. Man is told not to move and stay there. Female handcuffed uses abusive language, whilst officer requests back up and secures female other male starts to walk off refuses to stop officer draws TASER at 2:50 mins into footage male continues to walk away TASER fired at 3 minutes into footage.

Positive member feedback:

Given the Officer was on his own with more than one suspect to deal with, his use of Taser, and of public assistance, along with an off-duty Special, was justified. Regarding the complaint, the male who was Tasered did not lose consciousness as alleged.

The Officer handled the situation generally very effectively and efficiently, with nice attitude throughout.

A member of the public restrained the female and the Officer took special care to ensure that restraint was only at the minimum necessary. The Officer is unfazed by getting to grips with a somewhat chaotic situation. Having secured the female, the Officer wants to ensure the male is also under control. The male walks away at slow speed and the Officer asks him to stop, then draws his Taser and tells him he will Taser him if he doesn't stop, then fires the Taser.

Operational policing points:

Although backup arrived quickly, this case highlights the risks of single crewing.

Panel members also query the deployment of Taser. It is understood that the Officer is solo but Taser deployment seems unnecessary because the person was not aggressive or violent in any way, yes he was walking away but the Panel member feels other avenues

could have been explored to prevent him leaving rather than just going straight to the Taser. Once again the Taser seems to have become the default choice when the situation is not going as planned. It seems to this Panel member that the Taser was deployed as it was the easiest way to stop the man and not necessarily the most appropriate method in this case.

Questions:

1. What is the Taser Trainer's opinion on whether discharging was necessary?
2. Should the Officer have got in front of the man and red dotted him before handcuffing?

Member Feedback responses from 3 members:

1. If force was used, was it appropriate? **No (1), Unsure (1), Yes (1).**
2. Did the Police make correct decisions throughout this episode? **No (1), Unsure (1), Yes (1).**
5. Does the behaviour need further investigation? **Unsure (1), No (2).**

Constabulary response PSD:

In respect of question 1 above the Taser trainer will never be able to give an opinion on a decision to discharge a Taser, the justification for this is for an officer to account for and will be assessed based on whether there was a honest held belief by the officer and their belief is reasonable.

The officer concerned was trying to make an arrest in difficult circumstances. The subject was uncooperative and had clearly decided he did not want to be detained. The officer had no support available and no handcuffs, these having been used on another party as she was arrested. The officer decided he needed to use force to effect the subject's arrest given his lack of cooperation and possible escape.

Following review, service was deemed acceptable, a review of this decision was requested and was undertaken by the PCC's office and it was not upheld.

2nd person's (TLI's) response: Concur with above response, it is the officer's responsibility to evidence their NDM [National Decision-Making Model] at the time of the incident. There are so many variables within an incident and personal threat assessments meaning that no two officers will have exactly the same NDM even when faced with the same incident.

In relation to question 2 again it is the officer's NDM to evidence. If they made a Threat Assessment of a potential risk to theirs or other's safety then drawing Taser and aiming / red dotting may be a reasonable and effective use of force to reduce that Threat or Risk.

Case 34: Taser 29/09/2020 at 14:43hrs.

Complaint allegation: Complainant alleges that the officer has assaulted her granddaughter, pulling her hair and pointing their Taser at her.

BWV narrative: Officers have attended victim address seen damage caused and shown video footage of suspects. One suspect arrested and officer then comes across suspect mother. Officer explains arrest and fact TASER drawn and why there is no actual footage of that arrest of TASER drawn just explanation to mother.

Positive member feedback:

Not enough information for one Panel member to comment.

Another member commented that it would be helpful to explain to the daughter what was going on but the negative side is understood.

A third member considered it to be good initiative by the Officer to explain to the mother, 'mother-to-mother', which filled in some gaps for the Officer and may have contributed to de-escalating the situation. The Officer admits to holding on to the daughter during the arrest and explains why this is necessary.

A fourth member highlights that the Officer communicated well with the daughter. The

mother is arrested with her child. The mother is returned home and there may be mental ill health.

Member concerns and questions:

1. There is no explanation why the Officer did not switch on BWV earlier as this would have made the review easier.
2. WHY is there no BWV of the Taser deployment and the arrest?
3. It is unclear to members how this BWV supports the complaint analysis because the officer is not heard explain why there is no BWV of the arrest and drawn Taser event.

Operational policing point:

- Another example of risks of single crewing. Had there been two Officers the Officer may not have needed to Red Dot the suspect.
- It should be compulsory to turn on the BWV before attending premises.

Member Feedback from 4 members:

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

Constabulary response

PSD: BWC can be kept on for the duration of the shift due to battery life, it is therefore down to each officer to decide when to turn it on. Force guidance is issued in this regard but invariably some matters aren't captured, sometimes as matters escalate in a way that cannot be readily predicted.

BWC footage of the interaction, including the drawing of the Taser, is commented upon in the complaint investigation report.

This was a fast moving incident and Taser was drawn given mention of a baseball bat.

Following investigation service was deemed acceptable, no request to review this decision has been received.

Case 35: Taser 09/11/2020 00:42

Complaint allegation: Taser: The complainant alleges excess force was used on him which resulted in him receiving a broken shoulder. 'They used pepper spray, a brick in the door jam and Tasered me'.

BWV narrative: Officers attend address call made from male inside informs Police suspect has assaulted his mother grabbing her by throat so he called police. At 24 minutes TASER drawn and fired male arrested.

Complimentary member feedback:

The use of Taser was justified because the suspect had a previous conviction for violent disorder and the mental health issues could present erratic behaviour. The overall use of force was minimal as once Tasered and restrained, the suspect calmed down.

Incredibly patient Police Officers who do not react to the male's abuse and threats. The Officers worked up a strategy to reduce risk to all and avoid a standoff.

Good background search on the male, waited patiently, removed mum and other male for safety reasons, waited for assistance of someone who knew the male who had mental health issues.

Taser use is entirely appropriate. Officers are caring of the man after the Taser use and continued the strategy of calming him.

It's good to hear the decision/thought processes voiced on the BWV, also discussing taking the 2 other people from the home to avoid hostage situations, evaluating the suspect's decline in mental health compared to his previous episodes.

Member concerns: None.

Operational policing points:

Considering the level of abuse and threats aimed at Officers, the situation was dealt with very well.

An excellent example of planning, needing and executing minimum use of force to achieve an arrest as risk-free as possible.

Constabulary response PSD: *Positive feedback is noted.*
TLI: *A good example of a working NDM with commentary on BWV.*

Case 36: Taser 09/01/2021 08:58

Complaint allegation: Complainant alleges officers used unnecessary force on arrest; attended the address to arrest her and <complainant's name> for a series of offences, but threatened to Taser him if he did not comply whilst he was sat on the bed naked. They also laughed at him and attempted to provoke him.

BWV narrative: Officers attend address to effect an arrest of two people in address. They enter arrest female suspect, male suspect is in bed they enter bedroom. TASER is not drawn at any point, male is handcuffed and arrested, female officers look away whilst he puts pants on.

Positive member feedback:

The arrest of the male suspect is made without use of Taser or any use of force. The Officer keeps a good demeanour and tone of voice throughout, preventing any escalation of the situation.

An efficient arrest of 2 people, which was the aim of the visit.

No threat of Taser or laughing, as alleged by the complainant.

Member concerns:

- The issue of the man being naked and the need to put on his pants might have been better handled by a male officer watching him whilst the female officers looked away. However he is large and muscular and not under control in a confined space so Officers are right to be cautious.
- Despite case background narrative provided to the Panel, not all the female officers looked away when the arrested male was putting on his pants - this seems unnecessarily insensitive.
- Excessive for a suspicion of theft. No dignity given to suspects; female stressed at being put in cell without her taking her medication first; didn't hear any reassurance from officer.

Question: Are officers allowed to enter the property without permission, as part of the warrant for arrest?

Member Feedback from 5 members:

1. If force was used, was it appropriate? **No (1), Yes (3), N/A (1)**
2. Did the Police make correct decisions throughout this episode? **Unsure (1), Yes (4)**
3. Was the Police behaviour free from any stereotyping or assumptions? **Unsure (1), Yes (4)**
4. Was the incident free from demonstrable discriminatory behaviour? **Unsure (1), Yes (4)**
5. Does the behaviour need further investigation? **Yes (1), No (4)**
6. Is the whole interaction with the people fully recorded on BWV? **Yes (5) but ends before leaving the premises.**

Constabulary response

PSD: Officers are entitled to enter an address to effect an arrest under the provisions of Section 17 of the Police and Criminal Evidence Act 1984 (PACE). A complaint in respect of alleged excess force and attempting to provoke this person was made and it was deemed after investigation that service was acceptable. In reality the subject was extreme in his abuse towards officers and threatened to spit in the faces of officers. No request to review the decision that the service was acceptable has been received.

2.2 Taser Cases – incidents in 2021 (6 cases)

Case 37: Taser fired 25/02/2021 at 00:59hrs.

Background summary: Not provided.

BWV narrative: Officer seen a male run up alleyway by some garages police officer followed located male escorted him out he kept putting his hands in waistband he then pulled away ran off officer chased him drew TASER he threw bin at officer and threatened to stab her. Officer single crewed, TASER fired twice ineffective male ran off down another lane officer lost him to sight.

Positive feedback:

The Officer handles this situation well considering the risk presented and the threat made. A very brave Officer on her own, trying to detain a male. Notwithstanding his threats and actions she still pursued him.

No concerns.

Operational question and point:

1. Did the Taser fire properly but simply miss the target?
2. Although backup arrived quickly, this is yet another case highlighting the risks of single crewing.

Constabulary response: TLI

I echo the above comments this is an incredibly brave act of not giving up despite threats of violence, being solo crewed and following a person into a narrow lane. In response to your above question, yes the Taser does fire correctly however is very difficult to deploy against a moving target. We do train scenarios where the subject is moving dynamically for the very reason displayed in this incident. When Taser is ineffective what do you do then? You use the NDM to arrive at a different Tactical Option, in this case Taser is holstered the moment it is no use and PAVA is then selected along with a secondary torch. Sounds simple but as we have discussed on the previous panel some officers struggle to let go of Taser once it no longer becomes the appropriate option. This is now covered in training with the use of training PAVA and Batons within Taser Scenarios and Taser is taken away as an option during the scenario to see how officers react.

Case 38: Taser fired 21/12/2021 22:30hrs.

Background summary: Not provided.

BWV narrative: Officers attend address where two people are unresponsive on attendance one male who is pretending to be unresponsive starts to become verbally aggressive to officers shouting and swearing at them at 13 minutes into the footage the male stands up aggressively moves towards officer who is pushed back and warned he goes to do it again TASER drawn and fired. Male arrested.

Positive feedback:

The male suspect is aggressive and agitated, the use of Taser and restraints is justified. It appears to be very short notice firing of the Taser. Good use of and application of the Spit guard.

A good decision not to ask the medic to check him over in van but leave it to Custody.

Constabulary response:

TLI: Effective Taser deployment to prevent assault on officers.

Case 39: Taser fired 01/11/2021 02:04hrs.

Background summary: Not provided

BWV narrative: Officers attended address concern on arrival male party aggressive has blood on his shirt female party very upset, male tells officers he called police, concerned about female stating she needed help. Officers tried to engage with male to find out what had happened he was not telling them and very up and down. Eventually female party goes with other officers outside property female officer remains with male. Eventually another officer returns and states an allegation had been made by female party of an assault strangulation by male until she was unconscious. Male arrested immediately resists officers PAVA is deployed officers still unable to handcuff press emergency button request more officers, PAVA used again as male still resisting all are affected. Back up unit arrive with TASER. Male still resisting and TASER fired.

Positive feedback:

The Panel member comments that the male suspect is agitated, controlling and unpredictable and the female victim is terrified of him. Use of force is justified, although very poorly executed.

Officers did all they could to subdue the man but in the confined space, his strength and with one arm free this proved difficult. Needed Taser to subdue the man.

Member concerns:

This is in an issue of training, both in the use of restraint in confined spaces, and use of force. This situation took too many Officers too long to bring under control. The poor use of PAVA spray left all involved vulnerable to attack had the suspect broken free. Also, when Taser was deployed it was without warning.

Questions:

1. It appeared that one of the 2 discharges of PAVA affected 1 or 2 Officers?
2. With hindsight would it have been done differently and was the Officer's rather hectoring tone the most appropriate?

Constabulary response: TLI: There are PST training issues within this incident in relation to the most appropriate Tactical Option in a confined space with a subject who is determined and stronger than officers attempting to detain. In relation to the Taser deployment, at that moment it was an appropriate use of force option because of what had failed before. There are more than one deployment of Taser as officers are reacting to the difference in noise and subjects behaviour. The first deployments are not achieving incapacitation because there is no circuit as it needs two probes attached. That is the slight drop in tone of the pulses that can be heard, so another cartridge is fired, the subject then shows no behaviours expected for incapacitation of the muscles then the final deployment achieves incapacitation and you can see those behaviours displayed of involuntary muscle contractions by the subject.

Case 40: Taser fired 08/03/2021 23:36hrs.

Background summary: Not provided.

BWV narrative: Officer are in a pursuit with a vehicle failing to stop and driving dangerously at high speeds in North Bristol. Eventually car drives onto grassed area crashes with tree male decamp from vehicle short foot chase male TASERED twice then arrested.

Positive feedback:

Justified use of Taser. Safely secured an arrest by using Taser. Thoughtful Officer caring for the man after he was handcuffed.

Question:

1. Were there 7 Taser discharges and if so how did that work without endangering an Officer?
2. Should there have been Stop Search GOWISELY items stated before the search is carried out prior to transfer to the Police van?

Constabulary response: TLI: in response to question 1 above: There are two officers that have deployed Taser twice, so 4 cartridges used each of those have a 5 second cycle which sounds like more on BWV. Only one cartridge is effective in causing incapacitation most likely due to the padded jacket worn by the subject. This item of clothing would stop any Taser barb getting close enough to the skin to create the circuit between the two probes. It is very difficult to get two probes connected on a running target but adding a padded jacket on the top half of any target increases the chances of an ineffective deployment. There is a risk in deploying Taser in this situation with colleagues either in close proximity or in the back drop of your target, however this is covered within Taser training and the officers involved in this incident are Firearms Officers who extensively train to avoid what is termed as 'Blue on Blue' i.e. other officers within your line of aim. This same terminology is used within Taser training to maintain consistency if officers are to progress onto the Firearms Department.

Case 41: Taser fired 21/12/2020 19:06hrs.

Background summary: Not provided

BWV narrative: Arrest of male suspect, TASER fired

Positive feedback:

Taser is fired but misses. The suspect runs off but is detained and arrested by other Officers.

Member themed concern: Once again the Taser seems to be deployed as a first choice. In the past a chase may have been given first or a build up to Taser deployment. However, now it seems it's easier just to deploy the Taser even though no aggression or violence has taken place and things have not kicked off, just a guy running away which in the past was solved with a good old fashioned bit of coppering, ie giving chase!

Member Feedback from 3 members:

1. If force was used, was it appropriate? **Unsure (1), Yes (1), N/A (1)**
2. Did the Police make correct decisions throughout this episode? **Unsure (1), Yes (2).**

Constabulary response: TLI: I believe this was covered in my previous presentation on the distances offered by each item of PPE and Taser. Consideration must be given to the risk a foot chase places on the subject and officers. Either environmental risks such as, does the chase end up in a busy road, confined space, at height in order to escape etc., there are also physiological risks of a person having elevated heart rate, fight/flight/freeze response dumping adrenalin possibly leading to ABD or positional asphyxia concerns once detained.

Case 42: Taser fired 14/11/2020 00:12hrs. Bradley Stoke. LIVE COMPLAINT.

Narrative removed until complaint is completed.

See Action 3 above. The Panel will be updated on the complaint completion outcome.

2.2 TASER deployment 2021 - Somerset area. Black or minority ethnicity subjects (5 cases)

Case 43: Taser 06/03/2021

Background summary: Male was approached by officer due to suspicious behaviour. Male pulled away from officer before threatening to stab the officer. Officer draws Taser following initial foot-chase. Male makes off from officers. Taser discharged, however it is ineffective. Discharged twice.

This case (6/3/2021?) is a duplicate of Case 37: Taser fired, dated 25/02/2021 at 00:59hrs.

Constabulary response: TLI: as per my response for case 37

Case 44: Taser 09/01/2021

Background summary: Report of a male in the street smashing up a vehicle with an item in his hand believed to be a crowbar. Male named and police advised he had gone to a nearby address.

BWV Narrative - Officers attend the address to arrest the male. Taser authorised due to male being in possession of a crowbar.

Positive feedback

A potential volatile situation handled well. Excellent instructions from one Officer to gain control and handcuff a large muscular male who had earlier wielded a crowbar. Officers are patient in explaining what is happening, albeit he doesn't understand or chooses not to. In the Police van he starts to self-harm and when the male officer engages with him, speaking quietly and in calm tones, the male seems to respond well.

Operational Policing Question: When someone self-harms in a Police vehicle, what are the options?

Constabulary response: TLI: in response to the above question I will answer this as a police officer and PST and 1st Aid Trainer, there may be others would like to add comments from our force.

The first action should be stop the vehicle and to prevent them causing any further harm to themselves, carry out an initial 1st Aid Primary Survey and treat any injuries dealing with any wounds bleeding. Then depending on the injury consider calling ambulance to your location, take person to A&E in your custody or continue to custody centre and inform the custody sergeant of any injuries, how they were caused and any treatment administered by officers. All should be captured on BWV, either continuing footage from arrest if officer has any concerns of self-harm once in police custody, OR reactivate BWV once self-harm becomes a concern.

Case 45: Taser 25/11/2020

Background summary: Officers attended address following reports from residents that they had been threatened by another resident with a hammer.

BWV Narrative - Officers attend address to speak to residents. At around 14:30 minutes, officers attended address to arrest the male. Male resists and arrest takes place.

Positive feedback

The use of force is appropriate because the report to the Police is of a hammer being used.

The arrest is made without injury to anyone.

Query: The Officer says there are no Covid-19 bubbles in response to the person saying his companion was part of his bubble.

Constabulary response:

Case 46: Taser 23/11/2020

Background summary: Report of male trying to start fights with females walking past in the street. Officers stop searched male to search for weapon.

BWV Narrative - Officers already stopped male when BWV starts. Male arrested.

From the available video, this appears a standard arrest without incident. However, there is no BWV at the start of the Stop and Search so the BWV needs to be switched on earlier.

Member Feedback from 3 members:

1. If force was used, was it appropriate? **N/A(1), Yes(1), BWV starts after Stop Search (1)**
6. Is the whole interaction with the member of the public fully recorded on BWV? **No (3)**

Constabulary response:

Case 47: Taser 19/03/2021

Background summary: Report of males breaking into an address. Males located and stop search completed.

BWV Narrative - Officers already stopped male when BWV starts.

Positive feedback

Officers remained patient even though 17yr old had attitude.

Officer explained purpose of interaction with boys; adjusted handcuffs to accommodate for suspect bad shoulder; 2nd suspect taken back home safely.

Concerns and queries:

- Why did the Officer feel it necessary to ask, and then count how much money was in the younger suspects possession, when this did not relate to the original call logged?
- No BWV of first interaction. It starts from the youth in handcuffs and about to be searched. There appears to be no justification for detaining him but Officers are keen to ensure he returns to Minehead. Could they offer him transport?
- Why is there mention of County Lines (it led the suspect to get angry)?
- The Officer language: "shut up before I drag you" is not appropriate. It's not a good image for police.

Member Feedback from 3 members:

1. If force was used, was it appropriate? **Unsure (2), N/A (1)**
2. Did the Police make correct decisions throughout this episode? **Unsure (1), Yes (2)**
3. Was the Police behaviour free from stereotyping or assumptions? **Unsure(1), No(1), Yes(1)**
4. Was the incident free from demonstrable discriminatory behaviour? **Unsure (2), Yes (1)**
5. Does the behaviour need further investigation? **Unsure (2), No (1)**
6. Is the interaction with the member of the public fully recorded on BWV? **No (2), Yes (1)**
8. Was there reasonable Grounds to suspect the object would be found? **No(1), Don't know(1), Yes(1)**

9. Did the officer ask for personal information prior to or during the search and if so did she/he create the impression that the individual was obliged to do so? **No (1), Yes & Yes (2)**

Constabulary response:

2.2 TASER deployment 2021 - Somerset area and White subjects (2 cases)

Case 48: Taser 22/03/2021

Background summary: Report of a male assaulting and threatening members of staff at location. Male arrested by officers.

BWV Narrative - Officers attend location and speak to staff. Upon arresting the male. At 8:31 hours, Taser deployed.

Positive feedback

A very difficult case to view due to the suspect's condition but Taser use is justified given the likelihood of the male striking out, which he did, but no Taser warning is heard on the BWV. Officers establish the background from the male's carers, the detail of the allegations, evidence available and whether he would be allowed to continue residence. Then the Officers agree a plan how to arrest the man who is big and when he reacts badly he is safely brought under control with the Taser use. Subsequently there is careful and thoughtful care of the man.

Question: Did the Officer give a warning "Taser, Taser", or is this no longer required?

Constabulary response: *TLI: Please see the below extract taken from the College of Policing's Authorised Professional Practice in relation to oral warnings. In this incident giving any oral warning of Taser would have delayed time allowing the subject to further assault officers and possibly effect an escape.*

ORAL AND VISUAL WARNING TO THE SUBJECT

Where circumstances permit, officers should provide the subject with a clear warning of their intention to use a CED.

They should give sufficient time for the warning to be heeded, unless to do so would unduly place any person at risk, or would be clearly inappropriate or pointless in the circumstances of the incident.

Case 49: Taser red dot 20/03/2021

Background summary: Report of female threatening to harm herself. In possession of razor blades. Officers attend and detain her for Section 136 MHA.

BMV Narrative - Officers attend and ask female to put down blades. Red dot is shown at the start of the footage.

Positive feedback

Officers are ensuring the female is safe and apply temporary dressings to the wounds. The Officers cope well with her volatility too. The female officer who knows her also engages with

her. Handcuffed (with a Taser warning) are for the female's own and officers' safety. The female is allowed to roll a cigarette (for comfort) and the Officer talks calmly to the woman whilst waiting for ambulance.

However: The male officer gets louder in response to the female, but perhaps that is needed at times.

The female Officer describes the female as 'getting volatile' at one point but the Panel member sees no sign of this. The male officer gets aggressive and begins to shout at the thought of any blood getting on him.

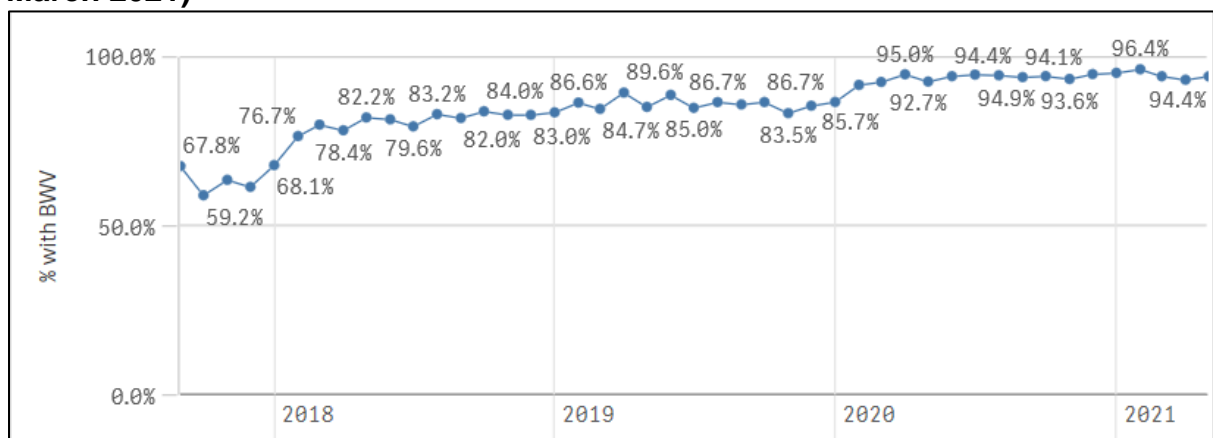
Constabulary response:

Appendix 2

Stop and Search monthly data and BWV camera switched on figures (to 31/3/2021)

Stop and Search Month/Year	Stop & Search count	BWV recorded %
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%
September 2020	697	94.1%
October 2020	807	94.4%
November 2020	886	93.6%
December 2020	622	95.0%
January 2021	779	95.4%
February 2021	816	96.4%
March 2021	766	94.4%

Stop and Search graph of monthly BWV camera switched on percentages (to 30 March 2021)

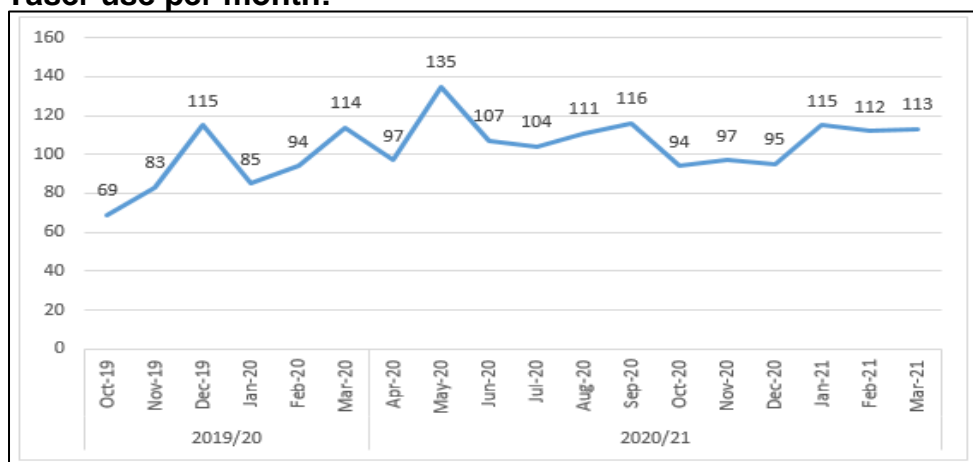


Appendix 3

Taser used (out of holster and either aimed, red-dot, arc, drive-stun or fired) and BWV to 31/3/2021:

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%
2020	September	116	Database change	No data
2020	October	95	84	88%
2020	November	97	87	90%
2020	December	95	89	94%
2021	January	115	104	90.4%
2021	February	112	101	90.2%
2021	March	113	107	94.7%

Taser use per month:



Taser FIRED only and BWV to 31/12/2020:

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%
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%
2020	September			
2020	October	8	5	63%
2020	November	18	17	94%
2020	December	19	17	89%
2021	January			
2021	February			
2021	March			