

Independent Scrutiny of Police Powers Panel

CASE REVIEW REPORT

24 FEBRUARY 2023

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PANEL OVERVIEW

The Independent Scrutiny of Police Powers Panel (the Panel) has been appointed to scrutinise the use of Police powers to ensure it is appropriate and proportionate. This includes reviewing the use of Taser, Stop and Search and other use of force, by reviewing Body Worn Video (BWV) camera footage and reading Police records of each incident.

The Panel of trained members acts on behalf of the Police and Crime Commissioner (PCC) as a 'critical friend' to Avon and Somerset Police by communicating local people's views on how the Police use their powers.

Who are the Panel?



The Scrutiny Panel, currently 14 local people of diverse backgrounds, started in June 2017. The Panel meet quarterly and select categories of police cases to scrutinise.

What does the Panel do?

- Independently scrutinises Avon and Somerset Police (the Police) use of their powers
- Enhances the public's confidence in the work of the Police
- Ensures Police openness and transparency
- Acts as a 'critical friend' to the Police
- Give feedback on drafted Police documents
- Offers feedback, from a local person's perspective, to the Police on their use of police powers, in particular the use of force
- Views Body Worn Video (BWV) camera footage of police incidents, including Stop and Search.
- Observe Police training

In addition to special case reviews, as standard every four months (each quarter) the Panel chooses 60+ cases to scrutinise, reviewing the BWV on each case and preparing a report. Feedback is sent to the Police with particular emphasis on identifying Police Officer and organisational learning. The police response to learning is tracked by the panel.

SUMMARY OF FEBRUARY SCRUTINY



60 cases were scrutinised by the panel



7 themes were identified



More than **14.5 hours** of body worn video footage was viewed

WHAT THEMES DID WE IDENTIFY IN FEBRUARY?

1. Inadequate or no BWV footage available
2. Query around the use of handcuffs
3. Queries around application of procedure to offer or provide a Stop Search Receipt
4. Detention of individuals by officers after a negative search
5. No audio recorded during a Strip Search
6. Queries relating to the grounds for Stop and Search
7. Excellent de-escalation achieved by officers where use of force was necessary.

More details about the above themes are to be found at [page 10](#).

Ongoing organisational learning tracker from September 2021 can be found on [page 11](#)

Highlights of the February case review comment can be found on [page 16](#)

SCRUTINY FOCUS - PANEL QUESTIONS TO POLICE

Following ongoing and sustained panel scrutiny around the Avon and Somerset Police use of BWV, consistency about the offering of Stop and Search Receipts, use of force and strip searches in custody, ISoPPP Panel Chair David Woodward asked the following eight questions to Avon and Somerset Police:

- 1) The lack of adequate BWV is a continuing theme and we wish to understand what training, instructions and supervision is given to officers?

Police Response

The Constabulary appreciates the feedback from the Panel in relation to the use of BWV and notes that it has been raised previously. The pre-record function having gone live across the force on 10th January 2023 should see an improvement to the activation of BWV prior to an incident. A Tactical Lead for BWV in Stop Search has also been appointed in March 2023 and will focus on this specifically as part of his remit.

- 2) On which occasions, for what duration and in what circumstances should officers use BWV?

Police Response

- a. *BWV should only be used in pursuit of a legitimate policing aim; necessary to meet a pressing need; proportionate; effective, and compliant with any relevant legal obligations.*
 - i. • *Protecting life and property*
 - ii. • *Preserving order*
 - iii. • *Preventing the commission of offences*
 - iv. • *Bringing offenders to justice*
 - v. • *Any duty or responsibility of the police arising from common or statute law.*
- b. *BWV should only be used to capture evidential or relevant footage to the investigation and should not be used continuously.*
- c. *Pre record function should be used to capture spontaneous evidential or relevant events when the camera is on standby and not recording.*

- 3) If not retained as evidential, when is the recording deleted, what is the period of retention if saved as evidential and are there different periods in different circumstances?

Police Response

Recordings are deleted after 28 days (unless it is marked as 'non evidential stop search', in which case it is one year. If it is saved as evidential, it will be retained for 6 years in all cases.

SCRUTINY FOCUS - PANEL QUESTIONS TO POLICE (CONTINUED)

- 4) Specify particular requirements when it is a Stop and Search, use of Taser or Use of Force.

Police Response

- a. *The use of BWV is mandatory in all uses of stop and search – this is force policy. This requirement exists whether officers are in uniform or plain clothes. BWV needs to be on for the full duration of the stop search. The BWV should capture the full Stop Search Procedure including grounds and reason, powers used for the stop search, officer introducing themselves and officer offering a copy of stop search via a receipt. The BWV footage should capture the search visibly, either by the searching officer, or an assisting officer, whoever has the best footage. The BWV footage should cover the lead up to the search as much as possible to show why this tactic has been chosen to take place.*
- b. *The A&S force policy states that BWV should be used ‘wherever practicable’ to allow for spontaneous incidents or incidents of a sensitive nature. As the use of force can take place during a variety of incidents, there are a number of other policies covering the use of BWV that would supersede the need for BWV to be activated such as Stop and Search or Domestic Incidents where force may be used.*
- c. *The force policy is that officers carrying Taser operationally MUST wear their BWV, there is an exception to this for officers deploying covertly where wearing BWV would compromise their operation, this is a rare exception in terms of Taser use. Force policy goes on to state that each Taser operator will use their body worn camera at incidents when they choose to use the device in line with training given. The default position being that BWV is switched on whenever a Taser is used. Use of BWV has been covered in training and forms part of the training package.*

- 5) Generally, what are the instructions to officers as regards retaining BWV as evidential. What are the specific requirements to retain as evidential for Stop and Search, Taser and Use of Force?

Police Response

- a. *Stop Search - If a stop search has a positive outcome and resulting in the recording of a crime, this should be recorded as evidential. Otherwise it should be marked as ‘non-evidential stop search and will be retained for 12 months.*
- b. *Taser – Under use of force so this would be 6 months if non evidential, 6 years if evidential*
- c. *Use of Force - Under use of force so this would be 6 months if non evidential, 6 years if evidential.*

SCRUTINY FOCUS - PANEL QUESTIONS TO POLICE (CONTINUED)

- 6) The lack of consistency about explaining the availability and accessibility of a Stop and Search receipt has been a continuing theme since December 2021. In the February 2023 Review, the Panel identified 5 such cases.

We understand a working group was set up in 2021 and this issue was to feature in the Spring 2022 training. In October 2022 it was stated that the documentation is being refreshed. May we receive an update?

Police Response

This piece of work has become wider than initially thought as we are seeking to utilise the receipt as an opportunity to seek feedback, through QR codes and other software. We are currently scoping best practice from other forces and will refresh the receipt as part of this in due course. In the meantime, the current receipt still suffices in terms of information provided – the issuing of receipts will be added to the 2023 Stop Search CPD to remind officers of the requirement to provide them.

- 7) As regards the Retrospective Facial Recognition project may we please receive an update?

Police Response

The latest update with Facial Recognition is that the Chief requested that we “pause” the project some months ago. She wanted us to explore the option of being an early adopter force for a national pilot for Facial Matching which will be a national system open to all forces for retrospective facial recognition but its not due to go live until March 2024. We are awaiting contact from the Home Office in relation to this.

- 8) Please provide an update on how UoF is scrutinised in Custody. This was raised at our October quarterly meeting .

Police Response

There are currently two ways in which UoF is scrutinised in Custody. The first is via the Peer Review Panel as per any UoF which is completed via dip sampling and consideration of themes as per our process as shared in the internal scrutiny panel.

The second is via an internal adverse incident process in custody which is non-specific to UoF, however, if force is used and there is an adverse result, i.e. injury to the subject or an officer/staff, then the incident is reviewed daily by Custody Inspector who then considers any learning or requirement for others to be involved such as PSD or a subject matter expert to offer input on the learning.

FEBRUARY CASE CATEGORIES

The Panel identified a number of case categories for scrutiny focus at the February meeting. A full list of cases that fell under each category type were requested from police. The panel then selected, reviewed and scrutinised 60 random cases. The following categories were selected for scrutiny:

Use of Force

1. Complaints by a member of the public against police relating to their use of force
2. Use of baton on all ethnicity groups other than white
3. Including the use of Taser on all ethnicity groups other than white
4. Including the use of PAVA on all ethnicity groups other than white
5. On women and girls
6. Of persons aged 16 year old and under

Stop and Search

1. Effected because of a suspicion of use/smell of cannabis
2. Complaints by a member of the public against police relating to Stop and Search
3. Of Black persons in the north central, east and north east policing areas of Bristol
4. Of BAME persons aged 18 years old and under
5. All strip searches
6. Effected with the compliant use of handcuffs
7. By officers working under Operation remedy (a proactive police operation)
8. Effected after a S163 vehicle stop by officers

PANEL FINDINGS – FEBRUARY THEMES

Following the scrutiny of 60 cases, the Panel balanced the actions of officers against police procedures and policy. The following themes were identified in February and raised with police for comment:

Theme Identified by Panel	Police Response
<p>Theme 1</p> <p>Of the 65 selected cases, 12 had no BWV and in 13 cases the BWV was ‘inadequate’. Full scrutiny was only possible in 62% of selected cases.</p> <p>The 62% is to be compared with ASP’s reported figure of 92%.</p>	<p>The Constabulary appreciates the feedback from the Panel in relation to the use of BWV and notes that it has been raised previously. The pre-record function having gone live across the force on 10th January 2023 should see an improvement to the activation of BWV prior to an incident.</p> <p>A Tactical Lead for BWV in Stop Search has also been appointed in March 2023 and will focus on this specifically as part of his remit.</p>
<p>Theme 2</p> <p>Of the 22 Stop and Search cases scrutinised, queries were raised as follows:</p> <p>5 about the Stop and Search receipt. Cases 7, 10, 15, 17 and 26.</p> <p>4 about handcuffing. Cases 8, 11, 22, and 23.</p> <p>2 about the grounds for the Search. Cases 2 and 23.</p> <p>2 Detaining the individual after a negative Search. Cases 2 and 26.</p> <p>1 No audio of a strip search. Case 26.</p>	<p>The areas identified within this theme by the panel are part of the ongoing work within the Constabulary to improve our delivery of stop and search.</p> <p>The Stop and Search application of the Pronto system will be launched in the next couple of months and will include an option to electronically provide a receipt to people searched. It is anticipated that this will improve compliance in this area considerably.</p> <p>Work will continue to ensure the grounds provided for search are clearly articulated and objectively based. This continues to be one of the main areas of focus for improvement activity in our use of stop and search powers.</p>
<p>Theme 3</p> <p>There were several examples of excellent de-escalation achieved by officers being patient, engaging, calm, giving consideration to the individual, not reacting to provocation and using minimum force to keep control. Cases 30, 37 and 39.</p>	<p>We are grateful for this positive feedback in relation to de-escalation. We recognise that effective communication and professionalism is vital, even in the most challenging circumstances that our officers and staff often find themselves in.</p>

ORGANISATIONAL LEARNING TRACKER

As part of their ongoing work to scrutinise policing, the the Panel have identified key organisational learning areas for Avon and Somerset Police. The panel continue to review, track and scrutinise how lessons identified are managed.

The following organisational learning areas are currently being tracked;

No.	Date	Organisational Learning Identified	Avon and Somerset Police Update	Status
1.	Sep 2021	At a Stop Search the Police Officer should not give the impression that personal information has to be disclosed.	<i>Officers have been reminded not to hector someone reluctant to provide this info. ISP has it as an ongoing theme.</i>	Ongoing
	Apr 2022	As above.	<i>This is a training issue and part of a Continuing Professional Development (CPD) package.</i>	Ongoing
	July 2022	As above.	<i>This topic is included in the July 2022 Annual Training Package (ATP).</i>	Complete
2.	Sep 2021	Poor positioning of BWV cameras by Firearms officers.	<i>Fixings are being issued to attach cameras to helmets</i>	Complete
3.	Dec 2021	A Police Officer's power to detain an individual for a Stop Search ends when a negative search is completed. Thereafter the individual cannot be lawfully detained. For example the person can't be detained for a PNC check.	<i>This has previously been part of yearly stop search training, regarding detention period for a stop search (no longer than is required to carry out an effective search). If we are seeing this being abused, then a refresher of this information would be timely. The lead for Stop Search should carry out a review of this situation.</i>	Ongoing
	Jul 2022	As above.	<i>This topic is included in the July 2022 Annual Training Package (ATP).</i>	Complete

No.	Date	Organisational Learning Identified	Avon and Somerset Police Update	Status
4.	Dec 2021	BWV switched on late, obscured, inadequate or not saved as evidential. Of the 40 cases scrutinised 11 i.e. 27% came into this category. The stated use of BWV is 92% but in this sample it reduce to 71%.	<i>A topic within yearly training. A technical fix of the camera operating 30 seconds before it's turned on is being considered.</i>	Ongoing
	April 2022	In this sample the available use of BWV was 44%		Ongoing
	July 2022	In this sample 65% of cases had complete BWV. For Stop & Search changes have been made to BWV retention periods, clarification regarding its mandatory use and included in the ATP .		Ongoing
	Oct 2022	Of 44 cases only 23 had adequate BWV – 52% Previously officers often provided a commentary explaining what they were facing as they approached an incident .This is now the exception. BWV footage is significantly shorter than previously. Adequate scrutiny of Stop Search cannot take place if there is incomplete BWV	<i>ASP continue to seek improvement. 'Pre-record' function now live to start footage 30 seconds before recording. Reinforced and tested at yearly refresher safety training for all officers.</i>	Ongoing
	Feb 2023	Of the 65 selected cases, 12 had no BWV and in 13 cases the BWV was 'inadequate', as a result of which a full scrutiny was only possible in 62% of selected cases. The 62% is to be compared with ASP's reported figure of 92% .	<i>The pre-record function having gone live across the force on 10th January 2023 should see an improvement to the activation of BWV prior to an incident.</i> <i>A Tactical Lead for BWV in Stop Search has also been appointed in March 2023 and will focus on this specifically as part of his remit.</i>	
4.	Dec 2021	Standard practice handcuffing a compliant person at a Stop and Search.	<i>This is an ongoing discussion and training on whether to handcuff or not. Certainly there should be no automatic handcuffing. It is partly a cultural issue.</i>	Ongoing
	Apr 2022	As above.	<i>A briefing note has been distributed to all front line staff.</i>	Ongoing
	Jul 2022	As above.	<i>The use of handcuffs will be reviewed by the Police's newly formed Internal Scrutiny Team. Findings will be discussed with the Panel.</i>	Ongoing
	Oct 2022	As above.	<i>Addressed and tested through annual refresher training for all officers including the ABCDW of handcuffing.</i>	Ongoing

No.	Date	Organisational Learning Identified	Avon and Somerset Police Update	Status
4.	Feb 2023	As above.	<i>A plan is in place for T/Sgt to be appointed as a Tactical Lead to focus on handcuffing. They will be tasked to initially gain additional data and review.</i>	Ongoing
6.	Dec 2021	Lack of consistency about explaining the availability of a Stop Search receipt and how the person searched can access it.	<i>Internal working group set up to address this issue, which will feature in Spring 2022 training.</i>	Ongoing
	Jul 2022	As above.	<i>ATP emphasises the mandatory requirement to offer a receipt. A working group convened in December 2021 to refresh the provision of receipts. The work continues.</i>	Ongoing
	Oct 2022	As above.	<i>ASP continuing to seek improvement. Receipt documentation is currently being refreshed to be accessible for all. Once finalised will be launched and refresh officers on a wide scale on the importance of offering and providing a receipt.</i>	Ongoing
	Feb 2023	As above	<i>The stop and search Pronto application will be launched in the next quarter giving officers the option to provide electronic receipts. It is anticipated that this will increase compliance in this area.</i>	
4.	Dec 2021	<p>The practice of seizing mobile phones, or viewing the content, under Section 23(2)(c) Misuse of Drugs Act 1971.</p> <p>The Panel's questions include:</p> <p>a) In what circumstances would a mobile phone constitute 'evidence of an offence under this Act'.</p> <p>b) Once seized, are officers empowered to 'interrogate' the phone and record details, regardless of the outcome of the search? Continued ...</p> <p>c) Are officers obliged to explain to the detainee the justification for the seizure of the phone?</p> <p>d) How does the officer record the justification for the seizure and detention of the phone?</p>	<i>This practice is being considered by the Police.</i>	Ongoing

No.	Date	Organisational Learning Identified	Avon and Somerset Police Update	Status
		<p>e) Are seizure cases 'flagged' in some way to facilitate scrutiny?</p> <p>f) If the S&S is not under section 23, is it the case that there is no power to seize or detain?</p> <p>g) If the search is after a vehicle stop, is there any power to seize or detain?</p>		
	Apr 2022	As above.	<i>The review is continuing.</i>	Ongoing
	Jul 2022	The Panel first raised this issue in the summer of 2021 and our questions set out in December 2021 remain unanswered. We are told that the issue is complicated and that it has not been included in the Annual Training Package (ATP). For the Panel this is a major issue going to the heart of police legitimacy at a Stop and Search.	<i>The review is continuing.</i>	Ongoing
	Oct 2022	Learning raised at panel meeting	<i>From August 2022 officers will cease to use Sec 23 to justify seizing phones at a Stop and Search. This applies until and if the search results in an arrest.</i>	Closed
8.	Dec 2021	The significance of language, volume, tone and content, when speaking to a member of the public, particularly in escalation/de-escalation situations.	<i>A topic within yearly training.</i>	Ongoing
	Oct 2022	The benefits are clear. Cases 54 and 61 demonstrate the disadvantages of inappropriate initial approaches which escalate rather than de-escalate.		Ongoing
	Feb 2023	Clear examples of excellent de-escalation achieved by officers being patient, calm, not reacting to provocation and using minimal force in cases 30,37 and 39.	<i>We are grateful for the recognition in this area. We have now fully incorporated situational based training for yearly refreshers in Public and Personal Safety Training and we believe that this outcome is linked to the new training.</i>	Ongoing
9.	Apr 2022	Smell of cannabis alone does not provide grounds for a Stop search.	<i>This is a training issue and part of a CPD package.</i>	Ongoing
	Jul 2022	As above.	<i>Included in ATP.</i>	Ongoing
	Oct 2022	As above.	<i>Continued area of focus. Features in supervisor review template for S&S. Addressed in S&S CPD package. Addressed and tested in yearly refresher for all officers.</i>	Ongoing

No.	Date	Organisational Learning Identified	Avon and Somerset Police Update	Status
	Feb 2023	No cases Identified	<i>Continued area of focus</i>	Ongoing
10.	Apr 2022	At a strip search BWV on audio only should be activated.	<i>This is a training issue and part of a CPD package.</i>	Ongoing
	Oct 2022	Audio was on for the entirety of the search in all 3 cases scrutinised.	<i>Pleased as has been an area of focus for the organisation following previous feedback. Learning is addressed through 121 engagement.</i>	Ongoing
	Feb 2023	No audio recording available of a strip search available for case 26	<i>It is not currently mandatory to use audio recording in strip searches, it is guidance at this time. This will be considered as part of the stop search policy currently in the process of being created.</i>	
11.	Apr 2022	Lack of adequacy of grounds for a stop search.	<i>This is a training issue and part of a CPD package.</i>	Ongoing
	Oct 2022	As above	<i>Continues to be an area of focus for ASP</i>	Ongoing
	Feb 2023	Queries raised around the grounds for Stop and Search for cases 2 and 23	<i>Continues to be an area of focus and will remain to be so until scrutiny identifies the overall standard has improved such that instances of poor grounds are the exception (that will be addressed on an individual basis).</i>	Ongoing
12.	Jul 2022	Police Officers showing good attitude and communication skills to establish a rapport with the subject, resulting in a positive engagement and de-escalation.		Ongoing
	Oct 2022	There were 11 cases of officers demonstrating positive engagement and de-escalation.	<i>Pleased. Continues to be addressed through refresher training.</i>	Ongoing
	Feb 2023	Clear examples of excellent de-escalation achieved by officers being patient, calm, not reacting to provocation and using minimal force in cases 30,37 and 39.	<i>We are grateful for the recognition in this area. We have now fully incorporated situational based training for yearly refreshers in Public and Personal Safety Training and we believe that this outcome is linked to the new training.</i>	Ongoing

HIGHLIGHTS – FEBRUARY INDIVIDUAL CASE REVIEWS

Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
2	<p>Stop and Search</p> <p>Officer states that he witnessed two males running away from a property he suspected of being a cannabis 'grow'. One male stopped and detained and searched under S23 MDA</p>	<p>Officer asked for males name, DOB and address, which he did not need to give, why was he not informed of this?</p> <p>The officer was out of breath, suggesting a foot chase, yet the male he stopped was clearly not, the only reason given for the search was his pupils were dilated and there was a smell of cannabis in the area. Very tenuous.</p> <p>The stopped used smell and sight of cannabis and dilated eyes. This seemed like a fishing trip on the back of looking for someone else. Didn't see the end of the BWV</p>	<p><i>The Constabulary thanks the Panel for its feedback in this case. The grounds, as identified, were weak in this case - which has been fed back to the officer's supervisor for learning to be shared. The panel's comments regarding provision of name and address, the request being made for them and a lack of explanation about the person's right not to give them are noted. It cannot be assumed that everyone knows their rights and the Constabulary are working with a partner (Creative Power Town) to create a piece of online content explaining people's rights in stop and search. Once this is complete, a wider communication piece will launch it - serving as a helpful reminder to officers in relation to explaining a persons' rights.</i></p>
31	<p>Use of PAVA on a non-white person</p> <p>Male sprayed post trying to escape police following him being detained for a stop search under S23 MDA. Male had to be stopped and failed to comply with instructions of the searching officer.</p>	<p>Initially and then post spraying a great attitude, good comms skills and interaction at the suspects level. In this instance the use of cuffs for a search was justified.</p> <p>Use of PAVA totally unnecessary on this occasion, whilst the suspect did initially run, he then stopped and was compliant, the officer still deployed the PAVA almost as an afterthought some time after the suspect became compliant again. Pepper spray was used whilst YP was under control</p>	<p><i>This case was discussed at length during the most recent scrutiny panel held at Police HQ and we thank the panel for their detailed feedback on this case. It is highlighted and agreed that the initial approach and communication style by the officer is excellent. It is noted that the panel makes reference to the use of PAVA on a YP and the apparent delay in its use. However, as discussed at the scrutiny panel, the written statement of the officer using force is excellent and clearly defines his thought process and rationalises the delay in its use which demonstrates the officers ability to think calmly under pressure.</i></p> <p><i>This is an outstanding example of force being used and the need to document and rationalise its use.</i></p>

Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
3	<p>Stop Search - Smell of Cannabis</p> <p>A section 8 warrant was executed for suspected drug dealing, whereupon the subject was detained for a stop search.</p>	<p>ASP Comments appear to relate to a different case. It is unclear what the background behind this case is, however, what concerned me was the threat to use NOS to inform the male's employer. Under the replacement CLPD scheme, "the use of common law powers of disclosure under these provisions is restricted to where there is an URGENT pressing social need only"... was the fact the male was swearing, which may at worst be considered a public order offence, be sufficient grounds to class it as `urgent` and thereby make it reportable? it seems a stretch and was clearly an intimidation tactic.</p> <p>Also, why was he handcuffed? Police officers antagonistic no BWV of whole instance and police made the man feel like he needed to give his phone details</p>	<p><i>It is noted that the case reviewed was not a stop search due to an error (saving the BWV against a different Niche number). The incident that was reviewed by the panel and respective comments are noted. This matter was subject to a complaint following it and reviewed by PSD.</i></p> <p><i>It is accepted that the threat to inform the male's employer under the CLPD scheme was inappropriate - the complaint would have considered this when investigated (note - the investigation to the complaint has not been reviewed prior to providing this response).</i></p>
35	<p>Use of Taser on a non-white person</p> <p>Subject has arrived on the scene with police dealing with an incident of a drink driving. Subject has arrived on scene making threats to kill towards police officers. Despite long negotiations subject becomes highly aggressive and then tasered to the floor with two shots</p>	<p>Unsure why the officers didn't just walk away at a much earlier stage, and left the subject to rant to himself. The female (daughter) did not appear to be concerned or frightened of his demeanour, so I don't think she was concerned for her safety. That whole exchange seems like a complete waste of Police time. The subject was of no interest to the Police but they spent all that time talking to him when they could just have left the scene. At the point of the taser being deployed, one officer and just said, "John, I don't want to arrest you", but then as the subject turned and 'skipped' away from them he was red dotted and tasered.</p> <p>If he was coming towards them, I would have comfortably said it was appropriate to taser him, but not if he was moving away. They should have just removed themselves from the scene.</p>	<p><i>We are grateful for this feedback provided for this protracted incident. We agree with the feedback that there could have been a consideration for the officers to leave the subject and not use force at all. However, on considering the incident holistically and also considering our commitment to deal with (or mitigate) Domestic Abuse. The BWV clearly outlines the aggressive behaviours of the subject and also a number of threats towards officers and his partner. We believe that the decision to arrest the subject was correct to prevent anyone coming to harm, including the subject. Furthermore, based on the level of aggression and threats made, the pre-emptive use of taser brings this incident to a safe conclusion and we are satisfied that this was proportionate in the circumstances, however, we do accept the concerns outlined about the subject walking away at the time and who this could look to the public.</i></p>
11	<p>Stop Search of Black Person in Bristol</p> <p>Member of Public called to say person giving out packages for drugs. On Police arrival those believed to be involved walked off and were detained.</p>	<p>Both officers but especially the blonde man kept a great demeanour throughout, communications were styled to the subject, kept him very well informed at all times, entire episode remained good humoured, good go wisely, reinforced several times throughout and 10/10 for actually carrying and issuing a physical search receipt. query compliant cuffing? BWV started late and we are informed suspect was walking away but not running, so why cuffed if remaining compliant.</p>	<p><i>The Constabulary notes the panel's feedback in this case, with thanks. The feedback has been provided to the officer concerned, who has recently joined the Stop Search Training and CPD working group.</i></p>

Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
37	<p>UoF on a Woman or Girl</p> <p>Elderly female has stood up and clear assaulted a seated police officer. Female is has had to be manipulated and restrained using handcuffs</p>	<p>interesting case requiring a great deal of skill on behalf of the officer, all credit to him, he was empathetic where necessary, took all steps including checking with the triage team and did his level best to keep things on an even keel. When things did kick off it was well handled being as firm as required but clearly being aware of the age and frailty of the older person, a very difficult case for the officer to handle well, but he did to the best of his abilities, clearly a knowledgeable officer as well, possibly more empathetic due to his previous career in the ambulance service. Very difficult case well-handled I felt.</p>	<p><i>We are thankful for this positive feedback and agree with the comments of the panel. This is a challenging and sensitive case whereby it is clear that the officer is professional throughout and has the best interested of all those involved at the forefront of his mind. We handled and force used as a last resort.</i></p>
23	<p>Stop Search by Op Remedy</p> <p>Vehicle tried to avoid Police and didn't stop immediately when Police car requested it stop.</p>	<p>Query justifiable grounds for search .Why handcuff and keep them on .No audio for first 20 secs .BWV late start. There must be more than disclosed to us. Why do 3 police cars stop a car for 'erratic driving' and suspect he has weapons or stolen goods? Why after a negative search do they detain him while they call out an expert vehicle examiner to decide if a crack in his bumper renders his car unfit to be driven on a public highway. This driver features in our October report Case 21 522153898 car stop 22nd June 2022. He was immediately handcuffed but after a negative search sent on his way. There was intelligence that he was involved with stolen fuel cards.</p>	<p><i>This case was discussed during the panel meeting and members advised that there was more information that could not be disclosed but added to the grounds provided. The detail cannot be provided in this response, however assurance was provided to the panel at the time. The use of 3 police cars to stop a vehicle it is suspected could make off is best practice - as this minimises risk to the public through reducing the potential for a pursuit to take place.</i></p>
39	<p>UoF on a Woman or Girl</p> <p>Police have attended after a report of a domestic assault. Subject has appeared very agitated and upon police trying to move the subject to a sterile area she has assaulted officers by scratching and kicking.</p>	<p>Think the officers handled a very difficult situation very well, initially a soft hands off approach and calm tones of voice, but reacted proportionally when things escalated, a very difficult case open to criticism for the handling of the suspect, but I don't see how the officers could of handled it in any better way, great patience and consideration for the suspect were displayed. An impossible case to handle, but they handled it they did and quite well I thought, very much a case open to interpretation in many ways!</p>	<p><i>The feedback from the panel is appreciated and we agree that this is was a difficult incident to deal with. Officers have attempted to support the female as much as possible and have used the minimal amount of force needed to achieve the aim. A difficult incident that was handled well in the circumstances and we agree that there is no learning for the officers or the organisation.</i></p>
26	<p>Stop Search by Op Remedy</p> <p>Vehicle tried to avoid Police and didn't stop immediately when Police car requested it stop.</p>	<p>BWV obscured so couldn't see chase use of taser or cuffing. No audio of strip search and do not know if mum present as AA. The BWV covers 2 Stop searches. My report is of the second . In the first the officers completes a negative search and then detains whilst does a PNC check.</p>	<p><i>The panel's feedback in this case is noted, with thanks. All strip searches of children and young people conducted using stop and search powers are reviewed by the Force lead for stop and search. This case was reviewed and force policy (Inspector authority and AA present) was followed. There is currently no policy in relation to use of BWV in strip searches (even audio) - this is uner review currently.</i></p>

Case No.	Incident Background	Panel Comments	Police Comment – Any Individual/Organisational Learning?
30	<p>Use of PAVA on a non-white person</p> <p>Police attended to arrest for a suspected domestic assault against a 1 year old child. He has resisted arrested, attempted to bite one of the arresting officers and post arrest 10-15g of white powder were located in the room.</p>	<p>The female officer who did most of the de-escalation should be recognised for her conduct and professionalism under difficult conditions, which contributed to getting the male into the van without incident.</p> <p>Whilst restraint seemed necessary, the male officers use of an armbar across the neck whilst the male was on the bed was not.</p> <p>Poor use of restraint techniques could have resulted in injury to the male, and the officers. The allegation of assault seems over the top after they entered his house and his room and held down.</p>	<p><i>This is an interesting case and we are thankful for the feedback from the panel. We recognise the concern about the use of the officers arm on the neck of the subject and the potential implications of this relating to injury and also public confidence. To confirm, this is not an approved technique and officers are warned about the implications.</i></p> <p><i>Having reviewed the different angles of the BWV, we are satisfied that this incident does not require feedback or consideration of conduct referrals. The subject is resisting, and the officer suggests that the subject attempts to bite him which would explain why the subject's face is held away. The BWV shows that the subject is able to move and adjust his head which demonstrates that the amount of force is not overpowering and the officer moves his arm as soon as the subject mentioned breathing. Not an approved technique, but the initial control of the subject does appear challenging.</i></p> <p><i>We agree with the comments about the officer being assaulted and we can confirm that no further action was taken in regards to this.</i></p> <p><i>Lastly, we are grateful for the positive feedback in relation to the de-escalation by the female officer and agree that this has contributed to the eventual safe detention of the subject.</i></p>
5	<p>Stop Search - Smell of Cannabis</p> <p>Vehicle seen driving excess speed, seen to try and evade police and park up at location other than home address</p>	<p>If the officer believed the driver was under the influence of cannabis, why did he not carry out a roadside drug test? It seems an odd decision to let him continue driving?</p> <p>Should this be a stop under Road Traffic Act, because that was the original reason (speeding) for stopping the vehicle? Officers polite and immediately told him he was not obliged to give his details very positive. Don't understand why he was handcuffed.</p>	<p><i>The Constabulary thanks the panel for its feedback. The observations made by the panel in relation to the suspicion of drug driving and a roadside test were identified by the officer's supervisor in their review of the case (which the panel would not have known) and the officer made aware as a result.</i></p>