

Highlight report and Minutes- External Scrutiny Panel for Use of Force and Stop/Search 26/10/23



1. Introduction

The external scrutiny panel was held in the Redcar Area. 6 members of the public attended in order to give independent feedback on a selection of BWV footage. The session was chaired by Chief Inspector, Peter Littlewood with Sergeant, Liam Crowe.

2. Content

10 videos were prepared for this session. It was anticipated that the session would be able to get through 5 Stop Searches and 5 Use of Force incidents. The panel asked a lot of questions and created some fantastic dialogue. We had hoped to review more footage but the panel were satisfied with the content and the scrutiny session is for the public as much as it is for Cleveland Police. We gave the panel the option to skip a video when we were satisfied that no more relevant BWV content was in that content. The learning input was again effective and led to good conversation and gave the panel minimum knowledge regarding expectations for standards.

Early discussions with the panel before the meeting commenced revealed that some members had various levels of experience with Cleveland Police whilst others had no experience or contact previously.

The feedback for each piece footage as decided by the panel will be outlined below.

Stop Search:

1. SE23206817

The panel felt that GOWISELY was followed, but the officer's approach was full on from the beginning of the encounter which could have been seen as aggressive, although the officer's had the necessary grounds.

One panel member didn't feel comfortable with some of the language being used by the officer as it was considered to be unprofessional; referring to the female subject as 'sweet heart' and 'darling'. The chair agreed that this type of language was not appropriate.

The chair then highlighted that a male officer took the lead with the search but it was in fact his female colleague who conducted the actual search. A number of panel

members felt that the female's officer's demeanour was professional but she didn't fully explain her role or provide the subject with any details.

2. SE23112027

The panel immediately questioned the dynamics of the encounter as it appeared that the officer was waiting for the subject, while hid around a corner. It was then highlighted and questioned whether the aggressive approach to the stop search was appropriate as it wasn't clear if the subject was going to run from the officers.

The chair explained that officers must act fairly but on occasion officers must take action in dynamic manner to ensure everyone's safety. He then made reference to known method of concealment by drug users/dealers which is to swallow a substance prior to being detained by Police, thus destroying evidence but more importantly putting themselves at significant risk of harm.

The panel felt that GOWISELY was followed and complemented officer's demeanour considering the initial contact was confrontational but it was de-escalated.

One panel member highlighted that the officer was quick to deactivate his BWV which was agreed by the chair as it is force policy that the video will not be interrupted until the encounter has ended.

3. SE23200195

After reviewing the footage, the panel thought the officer had the necessary grounds to search the subject and that it was proportionate, and that he remained in control of the situation throughout. Everyone thought the officer was direct and authoritative with the subject but polite and engaging in his demeanour.

One panel member recognised that the subject didn't speak good English and despite being highlighted to the officer he did little to deal with this language barrier as he proceeded with the search.

The chair explained that a language barrier wouldn't delay a search being conducted but we should make reasonable efforts to explain the legality and purpose of the search. However it was noted by the panel that the search was actually conducted by a plain clothes officer who arrived after the initial stop and he did not introduce himself to the subject. The panel thought this officer could have explained his role in more detail prior to the search commencing.

The chair agreed and stated that officers in plain clothes are required to produce their warrant card.

4. SE23190147

The panel thought that the followed GOWISELY, including the complaints procedure but questioned whether the officer had the necessary grounds to search under section 23 MDA.

The vehicle had previously failed to stop which formed the grounds of the search; but it couldn't be established how this then caused the officers concerned to search the vehicle and all persons for drugs?

The chair was in agreement and felt the grounds did not exist as the driver may have not stopped for a number of reasons; i.e. document offences; so the fail to stop alone was not sufficient. However the panel complemented the officer's demeanour throughout the encounter; as he was very professional, following GOWISELY in full and communicating in a conversational manner which the panel felt would reduce the risk of the situation escalating

One panel member said that it was good to see that the officer didn't initially have any BWO available so he borrowed a colleagues, using good initiative to remain transparent.

5. SE23195775

This footage was not reviewed due to time constraints.

Use of Force:

1. SE23194931

The Chair described PLANE (Proportionate, Legal, Adequate, Necessary, and Ethical).

The panel praised the officer's actions from the outset and accepted that the situation was clearly difficult to deal with; given the males highly agitated state and his violent actions; aimed at primarily at one officer. However one panel member pointed out that the subject was ready for a fight when the officers initially arrived which should have prompted the officers to request an additional unit.

The chair discussed the use of taser; highlighting some of the advantages and disadvantages of the device.

The panel collectively thought that the use of taser in this situation was an appropriate use of force as the male had been warned regarding his conduct and posed a risk to the officers. It was pointed out by one of the panel members that

immediately prior to the device being discharged the male clearly tried to reach for something which may have then been used as a weapon.

Once the subject was secured; a panel member raised concern that the male had been laid in a prone position while in handcuffed for an extended period of time and questioned the immediacy of the after care.

The chair accepted a slight delay from the officers but it was clear that the situation had not been brought under control as other family members flood the small kitchen area being obstructive which was a contributing factor.

Overall the force used was considered appropriate; but highlighted that when a situation is escalating officers should consider communicating the circumstances to the control room at an early stage.

2. SE23174540

The panel agreed that the level of force used by officers was proportionate in the circumstances and praised the officers for his quick reactions; describing how the officer who was seated in the passenger seat of the Police vehicle was rushed by the subject. The subject himself was in a highly agitated state and the panel felt that the officer had acted in self-defence using his PAVA to bring to situation under control.

The chair then discussed the use of PAVA spray; with some of the advantages and disadvantages highlighted.

It was mentioned by one of the panel members that the officer deploying PAVA during the incident had done extremely well to keep his composure as it appeared from the BWV that he was also feeling the effects of the spray.

Overall the officer deploying PAVA acted appropriately in the eyes of the panel and the subject was provided with aftercare post incident.

3. SE23205855

This footage was not reviewed due to time constraints.

4. SE23210560

This footage was not reviewed due to time constraints.

5. SE23212217

This footage was not reviewed due to time constraints.

3. Feedback from participants

The following feedback was gathered from a MS forms questionnaire.

4. Learning Points

The above feedback and learning opportunities will be taken into the delivery group meeting, chaired by Superintendent Anderson (stop search) or Superintendent Stockdale (use of force) .

Sgt Crowe will provide an update on external scrutiny, and will provide feedback to the officers involved in these incidents as directed by the panel and can be escalated if deemed necessary.

The panel will continue to operate as it did in this session as there was no improvements suggested.