Police and Crime Commissioner for Hertfordshire

Minutes of the Community Scrutiny Stop and Search Panel meeting 2nd July 2015

Present: Amie Birkhamshaw, Jeffrey Burke, Stuart Nagler, Muna Sabbagh, Brenda Griffiths, Curtis Sage-Passant, Sam Hale, Dec Supt. Peter Fulham, Jagtar Singh Dhindsa and Sherma Batson
Apologies: Tina Faraji, Rosie Alphonse, Sara Bedford

1). Welcome and introductions

The Chair welcomed everyone to the meeting, noted the apologies and updated attendees that Sara Bedford has resigned from the Panel meeting due to other commitments. Councillor Sherma Batson introduced herself as a new member joining the Panel.

2). Approval of minutes of previous Meeting

The minutes of the meeting held on 11th May 2015 were approved by the Panel and will be posted on the Police and Crime Commissioner's website.

3). Feedback from Constabulary on Panel points

AB distributed the Stop and Search Myth Busters paper produced by Hertfordshire Constabulary to help reinforce key messages to police officers on common misconceptions around Stop Searches. This paper is also available on Hertfordshire Constabulary's Intranet.

AB provided feedback from Superintendent Andy McCracken from Hertfordshire Constabulary to the Panel members. Clarification was sought on the following:

- What is meant by a 'routine check'?
- What is an Intel-led stop and search?
- What does True/False means in relation to (i). Property and (ii). Location?

AB reminded the panel that in Hertfordshire police officers were able to use Stop and Account in addition to Stop and Search, but when Hertfordshire residents were consulted on it, they overwhelmingly agreed that it was not something that they felt was needed or wanted. Since then, only Stop and Search is used by Hertfordshire Constabulary.

What is meant by a routine check?

A routine check has to be justified in relation to S.163 Road Traffic Act to check compliance. Officers have the power to ascertain ownership and can lawfully stop a vehicle at any time. The part that needs to be justified and recorded by an officer is if use of force or a search is carried out beyond the initial stopping of the vehicle. Therefore the grounds an officer records is what went on beyond carrying out the routine check.

Section 163 of the Road Traffic Act 1988 – Power to stop vehicles

- A person driving a motor vehicle on a road must stop the vehicle on being required to do so by a constable in uniform
- A person riding a cycle on a road must stop the cycle on being required to do so by a constable in uniform.
- If a person fails to comply with this section he is guilty of an offence

What is an Intel-led stop and search?

There can sometimes be up to 20 pages of references on what information the officer has used in relation to 'intelligence' in a report so it is not appropriate to include this information is the dip sampling spread sheet that is issued to the scrutiny panel. However, if there are specific files that the panel would like to see then the Constabulary are happy to provide a redacted version of the intelligence files. The Crime Reduction team at Hertfordshire Constabulary noted that they were content with officers just providing file reference number within the grounds section.

What does True/False means in relation to (i). Property and (ii). Location?

True/false means what should/shouldn't do e.g. True means 'yes', property was found.

AB noted that an internal audit process was carried out by Hertfordshire Constabulary as Andy McCracken and his team view all stop and search cases. AB advised that Mr McCracken has offered to come to a Panel meeting for a question and answer session. It was agreed this would be useful in the autumn when the Panel has matured as a group.

PF added that intelligence is graded and the notes made by officers are brief to avoid re-keying. It was agreed the Panel meeting needed intelligence source grading.

ACTION 1 - AB to obtain intelligence source grading from the Constabulary.

AB advised the previous notes on stop and search cases completed by the Panel had been provided to Mr McCracken for feedback.

ACTION 2- AB to update Panel members when Constabulary feedback is provided.

4). Dip Sampling of Stop and Search Forms

There were 7 Panel members completing dip sampling. Dip Sampling was completed in three groups, one group of 3 and two of 2. One group worked on samples from those numbered 1 – 300, one from 300 - 600 and the other group worked from samples numbered over 600. It was noted there were approximately 1000 cases.

5). Discussion of stop and search cases / where no consensus reached

Discussion was held over the Ethnicity data. **BG** highlighted that the category of 'No Information' had increased for February and March and questioned what this information relates to. **AB** established via the Constabulary that this category refers to 'self-defined' ethnicity or not stated i.e., where this field is left blank. An officer is only able to record what ethnicity information is offered to them by the person being stopped.

AB also confirmed that the cases starting with the letter 'M' indicated it was a mobile record where the stop search record had been completed on an electronic Tough Pad. The 'M' number included the date, time (seconds and minutes) of the stop and an officers' warrant number. Those search forms which began with a 'T' number indicated those Stop Searches that had been recorded on paper.

BG requested larger column on the data print out where you write the case number and suggested other columns could be deleted to make room for this.

BG asked how do we measure increased performance of Panel against stop and search cases. It was agreed performance measures were not within the Panel remit however information can be sought from Andy McCracken. **PF** suggested it may be useful for him to hold a quarterly overview giving more context to stop and search progress and seeing trends.

ACTION 3 – PF to hold quarterly overview showing trends on stop and search practice.

6). Feedback to the Constabulary

BG advised had worked through 20 cases -

- Reasons for stop and search were well described but in some cases no action/no offence. This was on cases where no tax was on the vehicle and therefore should not read no action? PF questioned if this case was a criminal offence or traffic offence and this may just be an administrative issue. Case 770.

- Group of 4 and 2 were searched but not the other 2. No explanation given as to why. Did they pick 2 black people to search? PF advised that the officer should have noted under other comments in order to clarify this. Case 466.

ACTION 4 - AB to gain clarification on the two cases 770 and 466.

SN advised the group worked on 12 cases -

- One case was highlighted as interesting on terrorism.
- Wording is improving.
- It was evident a bit more information is being provided on reasonable grounds and it would appear training is getting through to officers.

Chair advised on cases worked -

- One case was highlighted where the individual was wearing a full burka, which is of course no reason to stop someone. The individual had a backpack and appeared to be a man.

ACTION 5- AB to discuss feedback with Constabulary.

7). Stop and Search Panel Meetings

AB asked the Panel members if the meeting frequency had been considered by members. **SN** suggested the Panel should continue with the bi-monthly meetings but extend to 2.5 hours in order that administration issues could be discussed and sufficient dip sampling could be completed. The Panel agreed with this suggestion going forward.

AB thanked everyone for their attendance at this meeting and discussed the need for consistency of attendance wherever possible. **JSD** advised it was difficult to ensure attendance and it may be useful if contact was made with his workplace to assist with aiding regular attendance. **Chair** agreed to make contact to support JSD.

ACTION 6 – Chair to make contact with JSD workplace to assist with attendance of Panel meetings.

It was agreed planning of future dates in advance would assist some Panel members in ensuring attendance. Dates were discussed and agreement was reached for dates for the remainder of the year - 18th September and 17 November 10am.

ACTION 7 - SH to confirm meeting dates and times with Panel members and book and confirm meeting locations.

9). AOB

PF advised an update from information from the Stop and Search Strategy Board and advised all officers will soon have body worn cameras. They will be mandatory for domestic abuse situations but not mandatory for Stop and Search. Instead this will be left to officer discretion. Making it mandatory for Stop and Search could lead to more hostility.

It may be useful to view some sample video footage. AB will follow up this point with ICT. Agreed it would be good to know which cases had video footage and some could be dip sampled.

ACTION 8 – AB to liaise with ICT over sample video footage of Stop and Search cases.

Stop and Search forms were distributed and highlighted to Panel Members.

Expense forms provided to Panel Members. Expense forms were handed in by Chair and BG.

New Panel Member, Councillor Sherma Batson, is to be added to the Panel meeting Terms of Reference Document.

Date of next meetings:

Friday 18 September, 1.30 pm – 4.00 pm and Tuesday 17 November, 10.00 am – 12.30 pm

AT

Hertfordshire Fire & Rescue Service, Training & Development Centre