

Stop and Search Independent Advisory Group Minutes

Official

DATE: Wednesday 20 July 2022
TIME: 18.00 – 20.00 Hrs
LOCATION: MS Teams – link in calendar invite.

Attendees:		Position and Area
	JR	Chair of SSIAG and Vice Chair for SIAG - Buckinghamshire
	CL	Member of SSIAG and SIAG – Oxford
	DT	Member of SSIAG and SIAG – Oxford
	MT	Member of SSIAG and SIAG - Oxford
ACC Tim De Meyer	TDM	ACC Local Policing
ACC Dennis Murray	DM	ACC Crime and Criminal Justice – Lead Race Action Plan
Supt James Hahn	JH	Force Diversity, Equality and Inclusion Lead
D/Ch/Insp John Batty	JBatt	Head of Investigations - Professional Standards Department
Ch/Supt Michael Loebenberg	ML	Head of Tasking and Resilience and Ch/Supt Local Policing – Buckinghamshire and Milton Keynes
Sara Sayers	SSay	Diversity and Inclusion
Insp Sonny Sokhi	SS	Staff Officer to ACC De Meyer
Jo Braithwaite	JB	COA to ACC De Meyer
Apologies		
Claire Widdison	CW	Head of Strategic Governance Unit
Ch/Supt Sarah Grahame	SG	Ch/Supt Local Policing – Berkshire
	CDF	Member of SSAIG – Wycombe IAG
	DK	Member of SSIAG – Milton Keynes

1. Introductions and apologies noted - Chair

2. Minutes and Actions from the previous meeting held on 19.01.2022 – Chair

The meeting scheduled for 18 May 2022 was rescheduled to this evening.
The minutes were agreed as an accurate recording of the meeting on 19 January 2022.
The Actions were reviewed and updated accordingly on the action log below.

3. Complaints – DCI John Batty – Professional Standards Department.

This Group is provided regularly with the complaints data. JBatt advised one thing which is not included with the data, is the reference number, this will be included with future data.

The complaints data shared with this Group cover February 2022 to date. Overall volume of complaints within TVP this year were 1880. There were 241 Use of Force complaints and 23 complaints for Stop and Search of which 8 are still live.

We are recording more within Stop and Search than just actual stop and search complaints. More relate to search on arrest or search after arrest - these have been included in final total.

Due to the changes in regulations in 2020, we saw the volume of complaints increase. It took a long time to process and deal with those complaints. We have now introduced a Complaints Resolution Team who will contact complainant as quickly as possible. There are two ways of dealing with the complainant inside Schedule 3 or outside Schedule 3.

Outside of Schedule 3 – you deal with the complaint at the time, you provide an explanation, complainant happy with explanation, and there is no need to formally record the complaint, although it is logged. If the complainant is not happy with the explanation, it will be formally recorded, and formally investigated.

JBatt gave an example of one instance of stop and search that was dealt with outside of schedule 3.

Once complaints have been assessed and are deemed as not amounting to misconduct, they are sent to the relevant department for any enquiries or investigation. A number of Stop and Search complaints are sent to the LPA so the officers and complainant can be spoken to around the circumstances of the Stop and Search.

Complaints that we feel may have some element of misconduct attached to them or some degree of complexity, are kept within PSD, and allocated to PSD investigators. PSD currently have 11 Investigators who deal with complaints, conduct issues, death and serious injury.

The majority of complaints for this year either have been dealt with by the Complaints Resolution Team or have been sent out to the relevant LPAs.

When the investigations on the relevant LPAs are complete for Stop and Search, they come back to PSD for staff to quality assure the complaint, who will forward to JBatt who will also quality assure the complaint

Use of Force complaints data has also been included in the document. Use of Force sits around 4th in terms of the category of the most sort of complaints that we get – but most complaints are around the general level of service - people not being updated and become dissatisfied with the service they have from officers, or lack of empathy and care.

ACC Murray: In Stop and Search, we know there is disproportionality for the minority group, but in the complaints, data is rarely that disproportionality reflected due to the communities not reporting concerns. How confident are you that the data – and do we have any links in external scrutiny groups where people are more likely to go and complain from minority communities, so that we are actually aware of the picture. Also from the learning you capture, is that fed into training and wider learning for the organisation.

JBatt: In terms of capturing accurate ethnicity data – we do an annual disproportionality report looking at all elements of the conduct and complaints regime – there is not any huge disproportionality showing as we do not know the complaints ethnicity. We do have to record the complaints when they come into us and we do contact the complainants to find out that information – sometimes complainants do not want to advise their ethnicity.

PSD have the PESP (Professional Ethical Standards Panel) which is their forum where they have contact with the Community. There is possibly more work to do with communities as we currently rely on the local IAGs.

All the complaint investigations have a section for organisational learning. PSD have a monthly meeting where we look at all the organisational learning and individual learning to see whether it has been addressed - there is a mechanism for identifying learning.

DT asked for the explanation of U1 and U2 category.

JBatt: U = Unknown (as opposed to not stated).

DT: It would be helpful to understand the time from complaint, to the time it was resolved. JBatt: Some of the delays were just the volumes of complaints that PSD had to process. The investigations kept

within PSD, these are monitored for timeliness. There is a process of chasing the complaints on LPAs. Much of the delays are due to the complainant not engaging with the individual dealing with the complaint.

DT: Asked whether this group could be informed on the understanding the categorisation around the decision-making –e.g. when the complaint is resolved, but against what criteria?

JBatt: 3 Stages of dealing with a complaint:

- The complaint is dealt with outside of schedule 3 – speak with the person, provide an explanation, and complainant is happy with the explanation. This is shown as resolved. (Outside schedule 3)
- Where a complaint is formally recorded, the outcome should show as either service acceptable or service not acceptable.
- If a complaint is subject to a special procedure/ severity assessment as we think it may be potentially misconduct – the officer is formally served conduct papers. The outcome of this complaint is – Case to answer or no case to answer.
- Where it states ‘no further action’ – this is old terminology – should have said service acceptable. **Action 01: 20/07/2022 – PSD/JBatt to bring back to next meeting more detailed explanation around decision making for complaints and any learning outcomes from complaints**

JH: We are looking to straighten out what community engagement looks like in terms for Thames Valley Police – the Race Action Plan is the right place to do that.

CL: The two sub judice complaints within the last 3 – 4 months – are these the ones that PSD cannot do anything as they have a criminal investigation going alongside them?

JBatt: Sub judice –is a situation where the stop and search led to the arrest where there may have been use of force. The complaint is related to the circumstances of the arrest – and a criminal trial taking place that includes an assault on a police officer or resist arrest. We cannot investigate until it has gone through the criminal process and concluded.

MT stated it is good to see the increase in complaints – we are all aware, the satisfaction rate within the BAME communities is very low – can you advise if there is an increase with BAME communities making complaints?

JBatt: It is difficult to say the rise in complaints is due to people’s confidence to report – the reason we have seen an increase is due to the regulations change in 2020 where the Government made it easier to make a complaint – it used to be more rigid. It is now anyone who expresses any dissatisfaction with the police can make a complaint even if the dissatisfaction took place over 20 years ago.

MT explained he is involved with a number of organisations based in Oxford and there is an opportunity for the Police to engage with the BAME communities – MT/JH will speak outside of this meeting.

JR requested PSD to explain the learning outcomes from complaints that have been resolved – the full picture of the complaint to be explained to PSD at a future meeting (covered in Action 1).

JR advised the IOPC have a new officer who would like to attend this meeting in the future where we can pick up the not stating ethnicity on their complaints form.

Complaints come into PSD from IOPC / telephone call / email – either direct or referred from LPA.

Action 02: 20.07.2022 - For future data, we will need to see the number of complaints that have been logged and the ethnicity of the complainants.

4. Force Stop and Search – Performance Data 27.06.2022 – Supt James Hahn. Slides sent prior to meeting.

Supt Hahn provided an update on the data pack.

- There was an increase in stop search during COVID and then there was a drop off – it is levelling off (Pronto data is now being used)
- Strip Searches – we do not completely have accurate data pre Pronto. Accurate data will be available next time
- Search Level and Age – we will focus more on Youth Searches at the next meeting.
- TVPs disparity for searches - the highest level is for the black community, either people who are black or who are of black heritage. The ratio is around 5 to 1 compared to white people per arrest.
- High level of search for controlled drugs – an Intelligence Review is coming out in August where the intelligence leads will be explaining options we may have to influence some of disproportionality
- Positive outcome rates - fairly standardised between 20 – 30% mark.
- ACC Murray: The Race Action Plan tells Forces is to either explain your data or reform and review. Stop and search is only measured on whether you found the item you were looking for or not. What it does not measure is secondary outcomes.

Disproportionality is being measured against the national census data, which does not take into account the particular area that you are working in, and available population and therefore you can have a very skew picture.

- JR: Pronto has geocodes, so we should be able to see each geographical area that will give a better explanation on what is happening in each area.
- JH: BWV showing in Wycombe saw officers from their Stronghold Team a pattern of handcuffs being applied during the search. Feedback has been given to the Officers, as this is something we do not train officers to do. We are working with the local leads on LPAs to address this pattern.
- JR: Ethnicity not defined – the Pronto app will start to pick this up and provide better data.
- CL: Body Worn Video data showing just over 50% usage – is this correct?
- JH: The Data from the S&S Dashboard is more accurate and the data in the Performance Pack is not correct, as it is mandatory to use BWV.

Action 03: 20.07.2022 – Service Improvement Team to provide accurate data and present data to the SSIAG members.

ACC De Meyer apologised on behalf of the Force as it is not acceptable that the person/or an appropriate representative from their Team, who prepared the data, is not here to present it. This will not happen again.

MT: Thames Valley Police still needs to improve and inform in their data why they are search more black people than white people to enable communities' leaders to better explain the reasons to their communities.

JH: ACC De Meyer is the Chair of Thames Valley Legitimacy Board – this Board will help to steer this.

ACC De Meyer stated that Thames Valley Police needs to move step by step to a more multivariate analysis of stop and search because at the moment we are carrying out a univariate analysis where we look at two variable, the likely to being stop and search and race. There will be many more variable that explain the likelihood of being stopped and searched – e.g. the time of day / street population. We know through our Violence Reduction data, we are going to be identifying, in a far higher resolution, hotspots where officers patrol. We do know that gender is probably the strongest indicator of you being stopped and searched. We need to move to the point where we layer a lot more of these up as it will help us to explain ourselves – undoubtedly it will still show disproportionality in respect of race so of that may still be inexplicable, and there may be biases of officers that we will address. We also need to ensure that our searches are as kind and legitimate as they can be.

We will not get to that multivariate analysis overnight, but we will do better going forward.

5. Use of Force complaints data - there are 248 cases of use of force – do we know the age groups / gender involved in these cases?

JH: We are deemed as under recording the use of force.

JR stated that she is happy to speak with Ch/Supt Sarah Grahame who will provide the correct data for this SSIAG to view and discuss via email and any issues / concerns bring back to the next meeting.

Ch/Supt Loebenberg – the use of force is clearly under reported and any data pack that we go through is will problematic and skewed or biased to a large extent based on where the information is coming from.

The documentation and publication around use of force is challenging and any conclusion you withdraw would be substantially flawed from a data perspective. Many people who come into our Custody suites will have had a low level use of force – e.g. potentially use of handcuffs in a non-confrontational way.

There is work we are doing around our data quality so that it is at a much better level before we can really draw any conclusions.

6. Body Worn Video – JH: the Move to Must Group met this week and the number of recordings has increased for all crime cases.

JR confirmed she is confident that local Community Scrutiny Groups are also meeting.

JH: What we observed during that meeting were examples of complaint handcuffing – the officer in the BWV was provided with feedback – this was also featured in the Use of Force and Task and Finish Group meetings. Universally officers are trained that the moment you apply handcuffs, it is a use of force.

The other point raised was around a strip search – whether or not the individual had been stripped searched and it was not shown on the footage – the encounter was recorded but the rationale for why they were conducting the encounter was not recorded. Feedback has been given to the individual officers and training will be provided on when to record.

ACTION 04: 20.07.2022 - Notes were taken from that meeting and JR will circulate

Outside of the meeting, new dates will be set for BWV viewing – JR stated that the group will need to be more selective with the videos and whether it would be possible to view footage of the body worn footage of complaints and discuss how the complaint was resolved.

JH: Prior to the showing agreement will be made with JR on what will be shown for transparency.

7. Updates & Consultations

- HMICFRS Disproportionate use of stop & search report - a spotlight on stop and search and use of force - for highlighting to members for awareness.
- HMICFRS Peel report - police effectiveness, efficiency and legitimacy.
JH: On the Peel report, Thames Valley Police have two AFIs. One is around ethnicity recording. Chief Constable John Campbell has asked that we concentrate on ethnicity recording, as data is not accurate. The other AFI is use of force reporting.

JR raised officers workload and whether this is linked to officers confidence is stop and searches – this may be more for the SIAG on Officers health and wellbeing,

- **IOPC National Stop and Search learning report** – all members have received this report. JR understanding is that each Force should respond officially to the IOPC – can Thames Valley confirmed they responded to the IOPC on the recommendations on stop and search learning.
Action 05: 20.07.2022 – JH to check with SG on whether TVP have responded to IOPC.

- **CHILD Q Safeguarding report** – JH The main issues for Thames Valley Police is that we do not have the same capability as other forces do to engage parents and guardians of people under 18 that we are stop searching or strip searching – processes are being worked on by the Strategy Unit.

In Hampshire all strip searches are authorised by a Superintendent – in Thames Valley we do not have that – this is also something we are working on.

The National Guidance around this has not yet come out

- **Revised PACE Code** - JR: informed the meeting that the draft revised PACE code was open for consultation and closed on 27 June – this Group was not asked for comments or consulted on that. Can you confirm Thames Valley Police has responded that that?

Action 06: 20.07.2022 – JH to check on whether TVP have responded

- **Serious Violence Duty** – JR questioned if the VRU have consulted with TVP. The SSIAG has not been in any consultation on this, as in the past with the Serious Violence Reduction Orders, and do not know if any consultation has been made with communities.

JH: This is being worked on by the VRU as it relates to the Serious Violence Reductions orders - work is ongoing with this that is being led by Mark Barnicle.

Action 07: 20.07.2022 – JH to check with SG on the work

ACC De Meyer – The VRU whilst it is separately funded from Thames Valley Police, or be it, substantially staffed from Thames Valley Police and would be better termed the Violence Reduction Partnership, than a unit.

ACC De Meyer advised we will make contact with the VRU and we will satisfy ourselves that wherever they are leading on something which has a substantive stakeholder group, that Thames Valley are represented on that group, and they must attend this SSIAG Meeting. SO Sokhi will ensure they are represented.

- **NPCC Police Race Action Plan-**

ACC Murray - Race Action Plan – the plan was officially released on 24 May 2022. It is a National Plan that is aimed at building better trust with the black community. ACC Murray has met with Tyrone Joyce, who is leading on the plan, who is looking for an icebreaker force that will lead the way on best practice. Thames Valley Police are setting up a Shadow Scrutiny and Oversight Board and our local communities can recruit in Members as well as some of the IAG members'

The Plan has 4 x Strand Leads

- JH has Use of Powers and Legitimacy
- DCI Quoc Vo
- Insp Sonny Sokhi

The Strand Leads all have relevant experience in relation to their portfolios.

The Second Meeting will be held tomorrow and all the Work Strand Leads will present the work they have already done for agreement what will go into the plan. The Plan will be about delivering demonstrable change that the community can buy into and hold to account externally and that the officers and staff internally feel the same way. Once the plan has been signed off, the Strand Leads will be asked to get their plans up to date and in addition to the scrutiny shared with this Group, and the Local IAGs, we will begin scrutiny about the bespoke Thames Valley Plan.

The Thames Valley Plan, whilst it will focus on issues around the black community, the by-product of that is, if you have a fair system for the black community, by default, it will be fair for everyone.

Two Officers have been sent on a course for Leading Diversity and Cultural Change. We have also signed up to the Race at Work Charter to benchmark our standards, which we have achieved. We have also taken on a company called Inclusive Employers that will give use DEI Specialists who will health check our plans and provide advice on how to develop our plans so that they are consistent with places like industry.

JR: This is an ideal opportunity for Police Forces to speak with their communities and find out what they feel about the Race Plan.

ACC Murray – **for clarification the consultation they want by the 28 August** is on the National Plan – not local Plans. There are 3 x events in the diary for internal, external and IAGS that has been shared with the Chair where we will give people a chance to comment on the National Plan as if the National Plan is changed, we will reflect that in our local plan.

Vetting is currently going through for a Barrister, who along with Fola Kimolafe and the Chair of the SSIAG will be part of the Oversight and Scrutiny Panel and it will be for these three people to decide who else will sit on the Panel.

DT: It would be good if the UK Government drove the agenda of apologies across several public sector organisations and DT raised her concerns that if there is pressure on the police to apologise when they are not the only organisation where racism has occurred.

MT: We do need to restore the confidence of people, we do need to see the Police in communities engaging with the community- we are asking difficult question and we can see the Police are being accountable – this is what we need.

JR as the members to start thinking about individuals in your community or community organisation that could be identified as a stakeholder to join the Group ACC Murray mentioned, we can draw on them straight away without causing any delays.

- **Date of next meeting: 29 September 2022.**

ACTION LOG:

DATE/ NO	ACTION	ACTION	OWNER AND STATUS
JULY 2021			
Action 09 14.07.2021	Pronto: Bring back for a review at this meeting (3-6 months – and advise of any planned improvements)	Update 01.12.2021 Carried over to next meeting.	Carried over (TW – Pronto)
	Updated 19.01.2022 Carried over		

	<p>Updated 20.07.2022 JH: Pronto came in for Stop and Search in September 2021. Pronto is electronic inputting whilst conducting a stop and search rather than fill out a paper form and then add it electronically later. We ran Pronto and Paper Form until 1 June when we stopped using paper Forms Pronto is more accurate way of recording and will provide better data going forward. Use of Force went live on Pronto on 1 July 2022. (Select group (Special Constables and CTPSE) who have not been trained on Pronto is still using Paper forms). Solutions and plans in place to get these groups trained.</p> <p>CL: When do you envisage having some sort of review of Pronto and the changes Pronto has made in the way of data?</p> <p>JH: We have learned from other forces who have already gone through the process of embedding Pronto before us. The number of Stop Searches has not decreased – we do have a review meeting and are looking at a 4 weekly data feed from the Review Team Analysts – but no issues have been highlighted.</p> <p>CL: Can the data come to this SSIAG to review?</p> <p>NEW ACTION GENERATED FROM ABOVE: JH to look at providing data from Pronto in a format to share with this Group. .</p>	<p>NEW JH</p>
<p>Action 13 14.07.2021</p>	<p>Serious Violence Dashboard LPM to provide an update / review of the Dashboard to the Group in 6 months' time</p> <p>Updated 01.12.2021 Carried over to next meeting Updated 19.01.2022 Carried over to the next meeting Updated 20.07.2021 Bring back to the next meeting. (LPM has been invited to the meeting).</p>	<p>LPM Carried over</p>
DECEMBER 2021		
<p>Action 05 01.12.2021</p>	<p>SG is now the Strategic Lead for Stop and Search – one recommendation is that officers are given unconscious bias training – will discuss with JH what this could look like for TVP</p> <p>Updated 19.01.2022 Action Plan will be provided to this Group.</p> <p>Updated 20.07.2022 JH to circulate Action Plan for Stop and Search to the Group – any questions on the Plan can be put to JH prior to the next meeting.</p>	<p>Carried over SG/JH</p>

Action 07 01.12.2021	<p>FPN – data of disproportionality during Covid lockdown. This is one of the strands covered in the Legitimacy Board – update required at next meeting</p> <p>Updated 19.01.2022 CW: We are working on 2 x streams for this – we did a piece of work over a year ago on COVID FPNs and we are also working on non Covid FPNs as part of the Out of Court Disposal Work. This is still work in progress.</p> <p>Updated 20.07.2022 CW to circulate key findings to both SSIAG and SIAG members</p>	Carried over CW
JULY 2022		
Action 01: 20/07/2022	PSD/JBatt to bring back to next meeting more detailed explanation around decision making for complaints and any learning outcomes from complaints.	New JBatt
Action 02: 20.07.202.	For future data, we will need to see the number of complaints that have been logged and the ethnicity of the complainants. (This links to Action 01 20.07.2022_	New JBatt
Action 03: 20.07.2022	Service Improvement Team to provide accurate data and present data to the SSIAG members.	New Service Improvement
Action 04: 20.07.2022	JR to circulate notes from the BWV viewing to SSIAG members	New JR
Action 05: 20.07.2022	JH to check with SG on whether TVP have responded to IOPC.	New JH/SG
Action 06: 20.07.2022	JH to check if TVP has responded to the draft revised PACE Code that was open for consultation and closed on 27 June.	New JH
Action 07: 20.07.2022	JH to check with SG on the work developed so far on the Serious Violence Reduction Duty.	New JH
DECISIONS		
D1 19.01.2022	DECISION; ACC Bunt made the decision that SSIAG member continue to use MS Teams for viewing BWV – all processes and protocols around security are all in place	Endorsed 19.01.2022