



**Derbyshire Constabulary Independent
Advisory Group**

Stop Search Scrutiny Meeting

Date: Wednesday 17 July 2024

Attendance Police

Superintendent Jim Thompson (JT)

Police Constable Steve Broadhurst – Police presenter (SB)

Heather Cunningham – Equality, Diversity and Inclusion Compliance Officer (HC)

Independent members

SP - independent member

SPe - independent member

AA - independent member

TC - independent member

DD - independent member

EE - independent member

1) Welcome and Introductions

This meeting was held in person at Force Headquarters. The Chair SP welcomed all independent members to the meeting. SP reminded members that they have signed a confidentiality agreement and the conditions around this. SP invited attendees to introduce themselves.

Superintendent JT provided an overview around Section 60 and Section 60AA of the Criminal Justice and Public Order Act 1994. Superintendent JT presented the documents Derbyshire Constabulary are required to produce as evidence for using the policing power. Police Constable SB presented the cases and Body Worn Video (BWV) for each of the Stop Search incidents.



These minutes contain numerous abbreviations. A description of them is explained below.

GOWISELY

Police officers use the mnemonic 'GOWISELY' to ensure the required information is given to members of the public when detained for the purpose of a search.

Grounds for search

Object of search

Warrant card (if not in uniform or requested)

Identify of officer

Station to which the officer is attached.

Entitlement to a copy of the search record

Legal power used.

You are detained for the purpose of the search.

JOG – Jacket Outer coat and Gloves

PACE 1984 (s1) – Police and Criminal Evidence Act (1984) Section 1

DP - Detained person

BWV – Body Worn Video

2) Feedback from previous meeting

Opportunity to discuss the previous meetings feedback. This can include actions taken by the Police to address any areas of concern or praise that have previously raised.

3) Discussions around Section 60 and Section 60AA

An IM asked what the concern was for the policing power to have been used last month. Superintendent JT explained that the intelligence the force had received around organized gangs and the previous intelligence surrounding persons present at the event from previous events raised a concern around public safety and public order.

An IM asked who was responsible for the organization of the event and would there be a situation where the police could stop an event taking place.

Superintendent JT explained that the police worked closely with the venue and the event organizers. On this occasion there were lots of last-minute changes in the lead up to the event which had an impact. The police are not responsible for security at an event but will advise and support with planned events. Derbyshire Constabulary had officers in the area and outside the venue for public safety and public order. The force does have the powers to stop an event taking place, and often it will be dependent on the licensing in place.

An IM asked how aware officers are of the policing power Section 60 and Section 60AA if this is not something that is used often by the force.

Superintendent JT explained that all officers are trained on this policing power as part of their initial training but also through regular training inputs to ensure their knowledge is up to date. Police Constable SB explained that he was on duty on the date the power was used and that the radio briefing provided was very clear around how the policing power was to be used and that more experienced officers were supporting and advising colleagues.



An IM asked whether Derbyshire Constabulary had considered involving neighboring forces such as Staffordshire Police in their plans when the policing powers were invoked. Superintendent JT explained that the parameter in which the powers could be used was restricted to a particular area where the event was taking place and as this was not close to the Derbyshire borders it would not have been necessary to include other forces in the operation.

An IM asked who was responsible for making the decision to invoke the Section 60 and Section 60AA powers. Superintendent JT explained the structure for the decision making in force and around the governance of task groups when an event takes place.

An IM asked what communication was provided to the public around the use of Section 60 and Section 60AA. Superintendent JT explained that with a pre-planned use of the power information should be shared with the public. The media team had prepared a media release when the Section was used last month, but it was decided that the media release did not need to go out.

An IM asked whether there was consideration in involving the IAG before using the policing powers at the event. Superintendent JT explained that it had been a consideration beforehand and that the force could look into including the IAG in consultation for events. Had the powers been pre-planned this is something the force would have done.

IMs agreed that the documents provided to the scrutiny panel at the meeting explained there was justification for using the Section 60 and Section 60AA policing powers at the event last month. An IM felt that there was good clarity around the caveats for the use of powers. An IM felt that the due diligence and risk assessment prior to invoking the powers was clear. An IM commented on the consideration the force had taken around the analysis and preparation before invoking the policing powers.

4) Use of Police Powers Scrutiny

Case 1:

Date	29/06/2024
Time	20:30
Location	DERBY, DERBY CITY
Subject	Male 15 years W1. White British
PE Search Power:	Criminal Justice and PO Act 1994 (s60)



PE Search Reason:	Offensive weapons
PE Search Outcome:	No - no object(s) found
PE Search Clothing Removed	No - no clothes removed
Stop Search type	Stop Search-Person Only
Incident summary	S60 authorised at concert due to belief people carrying weapons. Male was in a group of balaclavad males, some of which made off from officers. ; Observations: Male is small group of balaclavad teens trying to get into concert after hours. Several males ran from officers. ; Information/intelligence: S60 authorised on intel of prohibited items / weapons being taken in and around stadium. ; Suspicion prior to search: male in possession of prohibited item/weapon.
Outcome (i.e., arrested)	No further action
Body Worn Video	Yes
Panel Observations	An IM asked whether the DP had a balaclava because on the BWV they did not appear to have one on. Police Constable SB explained that the clip was very short and that the officer may have referred to another individual who the DP was seen with in the form. An IM asked whether the officer should have completed GOWISELY. Superintendent JT said that in this instance, it would be expected that the officer completed GOWISELY as part of the Stop Search. However, when a Section 60 and 60AA is invoked it is dependent on the circumstance such as the number of individuals being searched, the number of people in the surrounding area and the items that are being searched for. An IM felt that the officer did not seem to



	want to take the DP's email address. Another IM felt that the officer was possibly shocked that a DP has opted to receive a receipt of the Stop Search as this is not seen often during scrutiny panel meetings.
Panel Decision	The panel felt that there were justified grounds for the Stop Search.
Actions taken by Police	Feedback around using GOWISELY to be shared with the officers and their line manager. All feedback from the scrutiny panel meeting will be shared with the training team.

Case 2:

Date	29/06/2024
Time	20:40
Location	DERBY, DERBY CITY
Subject	Male 15 years W1. White British
PE Search Power:	Criminal Justice and PO Act 1994 (s60)
PE Search Reason:	Offensive weapons
PE Search Outcome:	Yes - the object(s) searched for
PE Search Clothing Removed	No - no clothes removed
Stop Search type	Stop Search-Person Only
Incident summary	S60 authorised for offensive weapons at large public event following weapons being located on sight. All objects that conceal a person's identity ; Observations: male arrived in a big group with tracksuit and balaclava on having previously caused issues at event trying to get in without a ticket suspected of carrying objects with them ; Information/intelligence: male arrived in a



	<p>big group with tracksuit and balaclava on having previously caused issues at event trying to get in without a ticket suspected of carrying objects with them</p> <p>; Suspicion prior to search: male arrived in a big group with tracksuit and balaclava on having previously caused issues at event trying to get in without a ticket suspected of carrying objects with them</p>
Outcome (i.e., arrested)	No further action
Body Worn Video	Yes
Panel Observations	<p>An IM asked whether an item was found on the DP. Police Constable SB confirmed that a small sharp implement was found on the DP.</p> <p>An IM asked whether the item should have been confiscated and if the officer could have arrested the DP for carrying it. Superintendent JT said that the item should have been confiscated from the DP because it could have been used as a weapon. The DP has explained that it was an item they used at school as a part of stationary. Superintendent JT explained that the officer would have also had grounds to arrest the DP because it could have been considered a weapon.</p> <p>An IM noted that the ethnicity of the DP was recorded incorrectly on the form.</p> <p>An IM felt that the officer had carried out GOWISELY clearly, provided a good explanation and was polite.</p> <p>IMs felt that the officer should have confiscated the small implement.</p>
Panel Decision	<p>The panel felt that there were justified grounds for the Stop Search.</p> <p>BWV gave evidence of compliance.</p>
Actions taken by Police	Feedback around confiscating the object found to be shared with the officers and their line manager. All feedback from the



	scrutiny panel meeting will be shared with the training team.
--	---

Case 3:

Date	29/06/2024
Time	20:57
Location	DERBY, DERBY CITY
Subject	Male 15 years W2. White Irish
PE Search Power:	Criminal Justice and PO Act 1994 (s60)
PE Search Reason:	Offensive weapons
PE Search Outcome:	No - no object(s) found
PE Search Clothing Removed	No - outer clothes only (JOG)
Stop Search type	Stop Search-Person Only
Incident summary	Section 60 order in place and authorised by the superintendent for the D Block Concert after weapon found within concert. Known subject to officers for committing vehicle crime and anti social behaviour in the area sighted trying to enter the concert trying to conceal ID. ; Observations: section 60 in place. ; Information/intelligence: Section 60 in place ; Suspicion prior to search: Section 60 in place.
Outcome (i.e., arrested)	No further action
Body Worn Video	Yes
Panel Observations	An IM noted that the officer did not offer to email a copy of the Stop Search to the DP.



	<p>An IM felt that the officer clearly explained the reason behind the Stop Search.</p> <p>An IM felt that it was quite good that the officer explained to the DP that it would be a quick Stop Search so that the DP could be moved on and not detained for longer than necessary.</p>
Panel Decision	<p>The panel felt that there were justified grounds for the Stop Search.</p> <p>BWV gave evidence of compliance.</p>
Actions taken by Police	<p>Feedback to be shared with the officers and their line manager. All feedback from the scrutiny panel meeting will be shared with the training team.</p>

Case 4:

Date	29/06/2024
Time	20:50
Location	DERBY, DERBY CITY
Subject	<p>Male</p> <p>15 years</p> <p>B1. Black Caribbean</p>
PE Search Power:	Criminal Justice and PO Act 1994 (s60)
PE Search Reason:	Offensive weapons
PE Search Outcome:	No - no object(s) found
PE Search Clothing Removed	No - no clothes removed
Stop Search type	Stop Search-Person Only



Incident summary	<p>S60 and 60AA in place for local derby area following an event with intelligence regarding weapons and disorder.</p> <p>; Observations: Subject had been in a group that had been ejected from the venue. Group from the local derby area attempted to reenter the venue and detained for search.</p> <p>; Information/intelligence: Intelligence surrounding the venue and weapons being located in the grounds.</p> <p>; Suspicion prior to search: Subject already ejected from venue and attempted to enter again. Belief intention to create disorder.</p>
Outcome (i.e., arrested)	No further action
Body Worn Video	Yes
Panel Observations	<p>An IM noted that the ethnicity was incorrect on the form.</p> <p>An IM commented that from viewing the BWV that there were a lot of officer present for the Stop Search.</p> <p>Police Constable SB explained that because the DP was on their bike, that they could have been a flight risk and that there were more officer present in the area because of the event.</p> <p>An IM noted that there were several officers speaking to the DP during the Stop Search.</p>
Panel Decision	<p>The panel felt that there were justified grounds for the Stop Search.</p> <p>BWV gave evidence of compliance.</p>
Actions taken by Police	Feedback to be shared with the officers and their line manager. All feedback from the scrutiny panel meeting will be shared with the training team.



Case 5:

Date	29/06/2024
Time	20:50
Location	DERBY, DERBY CITY
Subject	Male 21 years W1. White British
PE Search Power:	Criminal Justice and PO Act 1994 (s60)
PE Search Reason:	Offensive weapons
PE Search Outcome:	No - no object(s) found
PE Search Clothing Removed	No - no clothes removed
Stop Search type	Stop Search-Person Only
Incident summary	S60 and 60AA in place for local derby area following an event with intelligence regarding weapons and disorder. ; Observations: Subject had been in a group that had been ejected from the venue. Male appeared to be trying to engage in fight. Detained to keep the peace and detained for search. ; Information/intelligence: Intelligence surrounding the venue and weapons being located in the grounds. ; Suspicion prior to search: Subject already ejected from venue and attempted to enter again. Belief intention to create disorder.
Outcome (i.e., arrested)	No further action
Body Worn Video	Yes
Panel Observations	An IM noted that the ethnicity of the DP was recorded incorrectly on the form. An IM said that they felt the officer could have moved the DP elsewhere because the



	<p>DP appeared from the BWV to be acting up because their friends were nearby.</p> <p>An IM felt that from the BWV that the DP looked under the influence or very nervous. Police Constable said that the behaviour of the DP could have also been indications that the DP was neurodivergent. Police Constable SB explained that officers receive training around disability.</p> <p>An IM asked why the officers did not explain to the DP that he was stopped because he was wearing a balaclava. Superintendent JT explained that Section 60AA does not allow an officer to stop an individual for wearing a face covering but it can be used alongside Section 60 if the officer believes the individual is trying to conceal their identity.</p>
Panel Decision	<p>The panel felt that there were justified grounds for the Stop Search.</p> <p>BWV gave evidence of compliance.</p>
Actions taken by Police	<p>Feedback to be shared with the officer and their line manager. All feedback from the scrutiny panel meeting will be shared with the training team.</p>

Case 6: due to the limited time left a decision was made to skip case 6 to ensure that the section 60 and section 60AA cases were reviewed by the IAG.

Case 7:

Date	30/06/2024
Time	02:15
Location	DERBY, DERBY CITY
Subject	Female No age or age range recorded W1. White British
PE Search Power:	Criminal Justice and PO Act 1994 (s60)



PE Search Reason:	Offensive weapons
PE Search Outcome:	No - no object(s) found
PE Search Clothing Removed	No - no clothes removed
Stop Search type	Stop Search-Person Only
Incident summary	<p>A S.60 has been authorised, it was reported that a female with red hair or a large build had a knife on her, therefore the grounds for my search were to namely search for a weapon</p> <p>; Observations: Witnessed the search</p> <p>; Information/intelligence: NTE officers shouted over the radio that a female with red shoulder length hair of a large build had a knife on her and had just left [a bar in the city centre]</p> <p>; Suspicion prior to search: Female was seen opposite [a bar in the city centre] walking into a shop.</p>
Outcome (i.e., arrested)	No further action
Body Worn Video	Yes
Panel Observations	<p>Police Constable SB explained to the panel that the bar mentioned on the BWV was next to the shop.</p> <p>An IM noted that the DP was given the information (GOWISELY) after the search has been conducted.</p> <p>An IM felt that the DP was compliant and nervous.</p> <p>An IM asked whether behavioural traits are covered in officer training. Police Constable SB explained that officer receive training around behavioural traits and that it is often a burden on the person engaging with the officer to explain that they are uncomfortable.</p>
Panel Decision	The panel felt that there were justified grounds for the Stop Search.



	BWV gave evidence of compliance.
Actions taken by Police	Feedback to be shared with the officer and their line manager. All feedback from the scrutiny panel meeting will be shared with the training team.

Police Constable SB explained to the IMs that the same group of officers conducted the Stop Searches under Section 60 and Section 60AA during the same event in a short period of time which is why some of the ethnicity's recorded for DP's may be recorded incorrectly.

4. Further actions

HC to follow up on vetting process for IAG members who want to support with consultation and/or critical incidents.

5. Date of next meeting

Thursday 19th September 2024

