



**Derbyshire Constabulary Independent
Advisory Group**

Stop Search Scrutiny Meeting

Date: Thursday 19th September 2024

Attendance Police

Police Constable Abaid Hussain – Police presenter (AM)

Helen Ham – Head of Equality, Diversity and Inclusion

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

Independent members

SP - independent member

SPe - independent member

SH - independent member

DD - independent member

SW - independent member

TC - independent member

JM - independent member

PD - independent member

RT - independent member

AG - independent member

EE - independent member

AA - independent member

CJ - independent member

AB - independent member

PH - independent member

SK - independent member

LN - independent member



1) Welcome and Introductions

This meeting was held in person at Derbyshire Force Headquarters (FHQ) as part of a Development Day. Police Constable AH provided an overview of the circumstances around the lead up to the Stop Searches. Police Constable AH 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-R

Police officers use the mnemonic 'GOWISELY-R' 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.

Respect

ANPR – Automatic Number Plate Recognition

BWV – Body Worn Video

DP - Detained person

FHQ – Force Headquarters

IAG – Independent Advisory Group

IM – Independent Member

JOG – Jacket Outer coat and Gloves

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

SNT – Safer Neighbourhood Team

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) Use of Police Powers Scrutiny

Case 1:

Date	19/08/2024
Time	05:27
Location	MANSFIELD, DERBYSHIRE
Subject	34 years Male W9. Any other white background
PE Search Power:	Misuse of Drugs Act 1971 (s23 (Possession))
PE Search Reason:	Drugs - other controlled drugs
PE Search Outcome:	No - no object(s) found
PE Search Clothing Removed	No - outer clothes only (JOG)
Stop Search type	Stop Search-Person and Vehicle
Incident summary	<p>Vehicle WXXX XXX was seen driving in shirebrook from [a named local street] onto [a named local street], where it picked up a male with a bag and turned onto [a named local street] about 20 metres from where they picked him up. The male with the bag and the other two males in the car stopped then got out after they saw police and started walking off.</p> <p>The male with the bag walked in one direction, and the other 2 males walked the other direction. The behaviour seemed very random, and the searched individual was looking around at the police car and then trying to cover his face with his hood before walking away.</p> <p>The vehicle was showing, not insured, and the two men were challenged and were very evasive about who's car it was and where they were going and why they picked up the</p>



	<p>other male to only drive 20 meters and then let him out again.</p> <p>The male who was searched provided his name, and he had intel for drug dealing in Mansfield which is in close proximity to Shirebrook.</p> <p>The male seemed very nervous while with officers and began shaking.</p> <p>; Observations: The male was in a vehicle believed to be involved in a drug deal he was very hesitant about answering officers' questions despite speaking English well. He contradicted himself multiple times in reference to the owner of the vehicle in question and couldn't account for why they drove the vehicle to a random side street to pick up the other male to then park the car on the next street all exit the vehicle and walk away looking back at the police car before attempting to hide his face.</p> <p>; Information/intelligence: Dealing intel – [police intelligence number]</p> <p>; Suspicion prior to search: suspected that due to the males known Intel and circumstances as explained that he may be in possession of a controlled substance after exchanging with the male who entered the vehicle with the bag.</p>
Outcome (i.e., arrested)	No further action.
Body Worn Video	Yes
Panel Observations	<p>IMs agreed that there were grounds for the stop search based on the information provided on the form. An IM highlighted the mention of an uninsured car and the intelligence linking to drugs. An IM referred to the report stating the detained person had moved off when they'd seen the police officer and that the incident had taken place at 5am.</p> <p>An IM asked about the Automatic Number</p>



	<p>Plate Recognition (ANPR) and if it's just software traffic officers have access to. Police Constable AH explained that some of the Safer Neighbourhood Team (SNT) vehicles have ANPR cameras. Police Constable AH explained that when officers conduct a stop with a vehicle that they have access to policing systems which can provide other intelligence about the vehicle and the DP.</p> <p>An IM felt that there is an assumption there is suspicious behaviour because the form provides an explanation to what the officer was thinking at the time of the stop search.</p> <p>From viewing the Body Worn Video (BWV) an IM felt that the GOWISELY-R was good and clear.</p> <p>An IM raised a concern around the officer not handcuffing the detained person and that the detained person put their hand in their pocket to remove personal items.</p> <p>Police Constable AH explained that handcuffing during a stop search is subjective and that an officer determines the risk based on a threat. Police Constable AH explained that an officer may wish to work with the detained person (DP) for the stop search to take place and handcuffing a compliant DP can escalate a situation.</p> <p>Police Constable AH stated that it is taught practice that an officer should be removing the items from detained person(s).</p> <p>An IM commented that the second officer present did not seem to be observing the stop search or observing the DP's behaviour. Police Constable AH explained that searching training guides officers on what the standard is, but it is the decision of the officer.</p>
Panel Decision	Agreement from the IM that this case was an appropriate use of policing powers.



	BWV gave evidence of compliance.
Actions taken by Police	Feedback to be shared with officers.

Case 2:

Date	19/08/2024
Time	19:00
Location	SHIREBROOK, DERBYSHIRE
Subject	19 years Male W1. White British
PE Search Power:	Misuse of Drugs Act 1971 (s23 (Possession))
PE Search Reason:	Drugs - other controlled drugs
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	<p>Intel that occupants in a vehicle stopped had links to drugs. The vehicle had been stopped by another officer after it had been involved in a suspicious manner. Believed to be possibly drug dealing.</p> <p>; Observations: The vehicle had been stopped by another officer after it had been involved in a suspicious manner.</p> <p>; Information/intelligence: Intel that occupants in a vehicle stopped had links to drugs.</p> <p>; Suspicion prior to search: Believed to be possibly drug dealing.</p>
Outcome (i.e., arrested)	No further action.



Body Worn Video	Yes
Panel Observations	<p>An IM felt that the form did not provide enough detail or explanation around the intelligence linked to the individual. Police Constable AH explained that when officers use the term intel this usually means that the officer has found information on the policing systems. The information is not included on the stop search form because the form can be provided to the DP following a stop search and therefore if the detail around the intel is included it could potentially identify the source of intel which is information that should not be disclosed outside of the force.</p> <p>Police Constable AH explained that an officer usually carries out due diligence checks at the roadside and that intelligence usually has a named linked.</p> <p>An IM felt that it was difficult to determine if there are grounds if the IAG do not know the level of intel the officer had. Police Constable AH agreed that the officer could have provided a bit more information around the intel without sharing confidential information.</p> <p>An IM felt that the DP was compliant.</p> <p>An IM felt that the search the officer carried out was not thorough and highlighted that the DP emptied their pockets.</p> <p>An IM noted that GOWISELY-R was carried out.</p> <p>An IM asked whether it was 3 or 6 months that a stop search record is retained on policing systems. Police Constable AH explained that the stop search record is retained on policing systems for a number of years.</p> <p>An IM noted that the officer looked away</p>



	<p>from the DP when finding gloves for the search and felt that the officer opened themselves up to risk of being attacked. IM noted that the officer was positioned in the fighting arc and potentially put themselves at risk.</p> <p>An IM asked a question around stop searches and the smell of cannabis. Police Constable AH explained that the smell of cannabis cannot be the only reason an officer uses to conduct a stop search. The initial stop cannot be based on the smell of cannabis.</p> <p>An IM asked if an officer stops a vehicle and smells cannabis whether they could conduct a drug drive test on the individual driving the vehicle. Police Constable AH explained that an officer could, and that the Home Office kits are very accurate.</p> <p>An IM highlighted that the officer was conducting the stop search by themselves. Police Constable AH explained that an officer may have to make a decision as to whether to conduct a stop search by themselves or whether to call for back up. Police Constable AH highlighted that on the BWV you could see that officers were present and speaking to the occupants of another vehicle.</p> <p>An IM asked for clarification around the practice of conducting a stop search on the opposite sex. Police Constable AH explained that under legislation an officer can search a detained person of the opposite sex. However, where possible officers will find an officer of the same sex to carry out a search.</p> <p>HH explained that officers have to carry out dynamic risk assessments to determine any risks when conducting stop searches.</p> <p>An IM noted that on the BWV that the detained person was slightly inside the car door and asked if this was a conscious</p>
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	<p>decision the officer made. Police Constable AH explained that he was unsure without asking the officer, but officers would do this to remove the DP from public view as it can be embarrassing for the individual to be stopped and searched.</p> <p>Police Constable AH said that officers are unlikely to get the perfect stop search scenario because of the unpredictability of people and environments.</p>
Panel Decision	<p>Agreement from the IM that this case was an appropriate use of policing powers.</p> <p>BWV gave evidence of compliance.</p> <p>IMs felt that there could have been more information on the form and a more thorough search carried out.</p>
Actions taken by Police	<p>Feedback to be shared with the officer.</p>

Case 3:

Date	22/08/2024
Time	14:05
Location	BELPER, DERBYSHIRE
Subject	25 years Male W1. White British
PE Search Power:	Misuse of Drugs Act 1971 (s23 (Possession))
PE Search Reason:	Drugs - other controlled drugs
PE Search Outcome:	No - no object(s) found
PE Search Clothing Removed	No - no clothes removed
Stop Search type	Stop Search-Person Only



<p>Incident summary</p>	<p>Police had been made aware that a male had informed a Train conductor that he had taken Tramadol tablets and had a substantial amount of Cocaine on his person. He stated that he was going to get off the train and go swimming in the River Derwent.</p> <p>; Observations: The subject was found intoxicated walking towards the River Derwent at the River Gardens, Belper. In his hand was a carrier bag full of medication which he stated he had found and wanted to dispose of.</p> <p>; Information/intelligence: A train conductor had informed us that the subject was in possession of Cocaine. The subject had already informed us that he was in possession of quantity of tablets.</p> <p>; Suspicion prior to search: The subject was found intoxicated walking towards the River Derwent at the River Gardens, Belper. In his hand was a carrier bag full of medication which he stated he had found and wanted to dispose of.</p>
<p>Outcome (i.e., arrested)</p>	<p>No further action</p>
<p>Body Worn Video</p>	<p>Yes</p>
<p>Panel Observations</p>	<p>An IM asked why the prescription drugs were not recorded on the stop search form. Police Constable AH explained that only illegal drugs are recorded on the stop search form.</p> <p>An IM felt that there was very good grounds for the stop search because the form clearly shows that the individual was a risk to himself.</p> <p>An IM asked why the officers did not take any further action. Police Constable AH explained that no further action refers to the stop search on the form. In this incident police officers did take further action around safeguarding the individual.</p>



	<p>An IM felt that from the BWV they could see the officers express their concern for the DP and they had a very good manner when speaking to him.</p> <p>An IM asked whether the DP was known to the officers. Police Constable AH explained that the officers work in the SNT and knew the DP.</p> <p>An IM felt that the search didn't look very detailed on the BWV and was a light pat down.</p> <p>An IM noted that the officer did not check the DP's hat during the search. Police Constable AH explained that officers would have carried out a dynamic risk assessment.</p> <p>An IM commented on the good tactical communication.</p> <p>An IM felt that it was luck that an officer had not been injured because officers had not been handcuffing for stop searches. Police Constable AH explained that the training will always provide the safest way for an officer to conduct a stop search, however, the officer has to justify the use of force, and this includes handcuffing.</p> <p>An IM stated that the training input this morning explained that as a result of the new officer training assaults on police officers had decreased and that not all officers had been through the new training yet.</p> <p>An IM felt that the BWV and report highlighted the markers for mental health problems and that the officer hadn't the situation well.</p> <p>Police Constable AH explained that mentioning the word detained or the mental health act can lead a DP with mental health</p>
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	conditions to respond negatively and for situations to escalate.
Panel Decision	Agreement from the IM that this case was an appropriate use of policing powers. BWV gave evidence of compliance. IMs felt that the situation was well managed and there was a clear report.
Actions taken by Police	Feedback to be shared with the officers.

Case 4:

Date	23/08/2024
Time	23:12
Location	CRESWELL, DERBYSHIRE
Subject	37 years Male W9. Any other white background
PE Search Power:	Misuse of Drugs Act 1971 (s23 (Possession))
PE Search Reason:	Drugs - other controlled drugs
PE Search Outcome:	Yes - the object(s) searched for
PE Search Clothing Removed	No - no clothes removed
Stop Search type	Stop Search-Person and Vehicle
Incident summary	male has been driving vehicle on public road, was stopped and required to complete drink driver procedure. male was gurning, had white spittle in corners of mouth, enlarged pupils. agitated behaviour, couldn't stand still. strong smell of fresh cannabis from open window of vehicle, had been stood with male for approx 15 minutes prior to smelling this and smell was coming directly from car. when using torch light to look inside car a small tubular item could be seen



	<p>which from afar looked to be a cigarette shaped container possibly containing drug related items. therefore the male was then further detained under s23 misuse of drugs act for a stop search.</p> <p>; Observations: male has been driving vehicle on public road, was stopped and required to complete drink driver procedure. male was gurning, had white spittle in corners of mouth, enlarged pupils. agitated behaviour, couldn't stand still. strong smell of fresh cannabis from open window of vehicle, had been stood with male for approx 15 minutes prior to smelling this and smell was coming directly from car. when using torch light to look inside car a small tubular item could be seen which from afar looked to be a cigarette shaped container possibly containing drug related items. also recent intelligence to suggest the male in question was involved in drug driving. therefore the male was then further detained under s23 misuse of drugs act for a stop search.</p> <p>; Information/intelligence: recent intelligence to suggest drug driving. behaviour of male.</p> <p>; Suspicion prior to search: manner of driving. behaviour of male. smell from vehicle. intelligence on person.</p>
Outcome (i.e., arrested)	Arrest
Body Worn Video	Yes
Panel Observations	<p>Police Constable AH explained that the new stop search form has been created to help rationalise stop search.</p> <p>HH explained that officers are encouraged to tell the story from start to finish.</p> <p>An IM asked what the officer had meant by manner of driving. Police Constable AH explained that under the Traffic Act 1988 that an officer can stop any car in a public</p>



	<p>place and they do not have to provide a reason for the stop.</p> <p>An IM asked whether a driver of a vehicle has to provide a license when stopped by the police. Police Constable AH explained that under legislation that a driver should present their license. If they do not have their license present, they may be asked to present their license at their local police station by a certain date. However, police now have access to DVLA and can carry out a license check at the roadside.</p> <p>An IM felt that officer hadn't the situation well and that the officer was firm.</p> <p>Police Constable AH explained that the DP was handcuffed to the rear when removing the DP from the vehicle.</p> <p>An IM felt that the officer was aggressive when speaking to the DP.</p> <p>An IM noted that from the BWV the DP was shouting, and the officer conducting the search matched this.</p> <p>An IM asked whether officers receive de-escalation training and noted that the second officer present deescalated the situation. Police Constable AH explained that officers are taught the importance of using tactical communication to deescalate situations.</p> <p>Police Constable AH explained that if an individual is arrested for a summary only offence (considered low level) for example, drink or drug driving then a vehicle cannot be searched under this offence.</p>
<p>Panel Decision</p>	<p>Agreement from the IM that this case was an appropriate use of policing powers.</p> <p>BWV gave evidence of compliance.</p>



Actions taken by Police	Feedback to be shared with the officers.
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Case 5:

Date	26/08/2024
Time	16:10
Location	BELPER, DERBYSHIRE
Subject	38 years Female W1. White British
PE Search Power:	PACE 1984 (s1)
PE Search Reason:	Articles for use in theft
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	<p>Call received by B&M Belper stating a male a female have been seen stealing alcohol and candles and made no attempt to pay. Description was passed of clothing and also in possession of two blue bags for life. Male and female matching description located on [a local street], BELPER</p> <p>; Observations: Male and female matching description passed</p> <p>; Information/intelligence: male and female with nags for life had stolen alcohol and candles nearby</p> <p>; Suspicion prior to search: Male and female were found on [a local street], BELPER matching the description passed by the local</p>



	<p>shop. They were holding two blue bags for life and therefore stopped and searched in order to locate stolen items</p> <p>; Observations: Male and female matching description passed</p> <p>; Information/intelligence: Male and female with bags for life had stolen alcohol and candles nearby</p> <p>; Suspicion prior to search: Male and female were found on [a local street], BELPER matching the description passed by the local shop. They were holding two blue bags for life and therefore stopped and searched in order to locate stolen items</p>
Outcome (i.e., arrested)	Arrest
Body Worn Video	Yes
Panel Observations	<p>IMs felt that there were good grounds provided on the form for the stop search.</p> <p>An IM was a little confused after viewing the BWV because there were quite a few officers present and the situation was difficult to follow.</p> <p>An IM felt that the officers shouldn't have been searching the individuals and that they should have just been searching for the items. One of the individuals had close fitting clothes and clearly wasn't concealing the stolen items on their person.</p> <p>An IM noted that GOWISELY-R had been carried out.</p> <p>An IM felt that it was not a controlled stop and search and that one officer should have been carrying out the stop search for the continuity and integrity of evidence management.</p>
Panel Decision	<p>Agreement from the IM that this case was an appropriate use of policing powers.</p> <p>BWV gave evidence of compliance.</p>



Actions taken by Police	Feedback to be shared with the officers.

Case 6:

Date	19/08/2024
Time	09:00
Location	DERBY, DERBY CITY
Subject	55 years Male W1. White British
PE Search Power:	PACE 1984 (s1)
PE Search Reason:	Bladed article
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>Previously threatened a security guard with a knife. Had been seen today outside the Derbion shopping centre with an unknown object sticking out his pocket. Security guards were unsure if this was bladed article or a screwdriver. Subject has weapons markers and previously threatened to use weapons against MOP [member of the Public] and emergency services</p> <p>; Observations: Sat on a bench drinking alcohol. We were able to see something sticking out the back of his pocket but unknown until we did the stop search.</p> <p>; Information/intelligence: Information from the security guards that he has made threats</p>



	<p>two days previously threatening to stab the security guard. Intelligence of warning markers on Niche about threats to a paramedic with a knife.</p> <p>; Suspicion prior to search: Suspicion from the information given from the security guards that were on at the Derbion at the time and observing something sticking out the males pocket which looked suspicious.</p>
Outcome (i.e., arrested)	No further action
Body Worn Video	Yes
Panel Observations	<p>IMs felt that there were good grounds provided on the form for the stop search.</p> <p>An IM noted that from viewing the BWV that the officer had front stacked the handcuffs on the DP and was holding on to the bar of handcuffs.</p> <p>An IM asked why the female officer was searching rather than the male officer. Police Constable AH explained that under policing legislation and officer can carry out a search on a DP of the opposite sex.</p> <p>An IM felt that the search was not very good.</p> <p>An IM noted that the second officer was not standing at some distance and observing the DP or the search.</p> <p>Police Constable AH explained that officers respond differently but when a report come in regarding weapons officers should handcuff DP because of the potential risk. However, the decision is the officers.</p> <p>An IM felt that GOWISELY-R was a little disjointed.</p> <p>An IM asked if there is a dynamic in force where male officers would act protectively towards female. Officers. Police Constable AH explained that this can be the case and</p>



	that officers are protective of each other. Police Constable AH explained that assaults can have a lasting impact on an officer.
Panel Decision	Agreement from the IM that this case was an appropriate use of policing powers. BWV gave evidence of compliance.
Actions taken by Police	Feedback to be shared with the officers.

Case 7:

Date	20/08/2024
Time	16:20
Location	LONG EATON, DERBYSHIRE
Subject	18 years Male W1. White British
PE Search Power:	PACE 1984 (s1)
PE Search Reason:	Going equipped
PE Search Outcome:	Yes - the object(s) searched for
PE Search Clothing Removed	No - outer clothes only (JOG)
Stop Search type	Stop Search-Person Only
Incident summary	<p>Seen on local authority cameras checking out bikes in the local area. There has been an increase in bike theft recently in the local area. Ran from police when spotted and a witness stated he had seen him holding bolt croppers when detained by police.</p> <p>; Observations: Ran away from a police officer when spotting his car. Third party witness spotted male holding bolt croppers before officers detained him.</p> <p>; Information/intelligence: Information</p>



	<p>provided by local authority camera operator that the male and others had been hanging around where bikes were locked up, walking back and forth down the road.</p> <p>; Suspicion prior to search: Suspicion that the male was looking to steal a bike going equipped to facilitate this theft by breaking the lock off local bikes.</p>
Outcome (i.e., arrested)	Arrest
Body Worn Video	Yes
Panel Observations	<p>IMs felt that there were good grounds for the stop search.</p> <p>An IM note that the officer appeared to be new in service as they were taking their time to go through GOWISELY-R.</p> <p>An IM felt that this was a good stop search.</p>
Panel Decision	<p>Agreement from the IM that this case was an appropriate use of policing powers.</p> <p>BWV gave evidence of compliance.</p>
Actions taken by Police	Feedback to be shared with the officers.

4. Further actions

No further actions.

5. Date of next meeting

Monday 11th November 2024.

