



Derbyshire Constabulary Independent Advisory Group

Traffic Stops Scrutiny Meeting

Date: 28th November 2024

Attendance Police

Sergeant Adam Titterton – Police Presenter, Roads Policing Sergeant (AD)

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

Independent members

DD – independent member

PW – independent member

AA – independent member

JM – independent member

GR – independent member

LN – independent member

CB – independent member

JS – independent member

MR – independent member

AS – independent member

PD – independent member

Welcome and Introductions

This meeting of the panel was held in person at Force Headquarters. Sergeant AT welcomed Independent Advisory Group (IAG) members to the meeting. Due to the chair's absence HC



reminded panel members about the confidentiality agreement they had signed. Sergeant AT provided an explanation to the group around the rights an officer has under the Road Traffic Act 1988. Cases were presented to the panel by Sergeant AT, followed by Body Worn Video (BVW) of the Traffic Stop. Sergeant AT provided comments and context around the techniques and if they were what had been trained.

Traffic Stops

Section 163 of the Road Traffic Act 1988 gives powers to the police to stop vehicles.

(1) A person driving a motor vehicle on a road must stop the vehicle on being required to do so by a constable in uniform.

(2) A person riding a cycle on a road must stop the cycle on being required to do so by a constable in uniform.

(3) If a person fails to comply with this section he is guilty of an offence.

Police officers can stop any vehicle on the road with this power without requiring any specific grounds. Officers cannot search the vehicle or anyone in it under this power but may be able to do so under one of the stop and search powers. For example, the officers observations during the stop may provide reasonable grounds for suspicion to conduct a search (College of Policing, 2024).

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

BWV - Body Worn Video

IAG – Independent Advisory Group

IM – Independent Member

PDA – Personal Digital Assistance

VOSA – Vehicle and Operator Services Agency

1) Feedback from previous meeting

There were no previous actions from the previous meeting.

2) Questions prior to reviewing the cases

An Independent Member (IM) asked if a member of the public were to report a person for drink driving whether an officer could conduct a breathalyse test on the individual under the Road Traffic Act.

Sergeant AT explained that under the Road Traffic Act an officer cannot conduct a beathalyse test but could use other powers to do this based on the information provided. The officer may initially have a conversation with the person driving the vehicle to identify whether the test would be an appropriate course of action.

An IM asked what legislation is around the use of escooters in public and whether these are



class as a vehicle under the Road Traffic Act. Sergeant AT explained that an scooter is classed as a vehicle under the Road Traffic Act and that it is currently not legal to use an scooter in public, they can only be used on private land.

An IM felt that there could be clearer information from Derbyshire Constabulary educating residents around scooters and they're not a legal form of transport because many people use scooters in the city including professional commuting to work. An IM commented that their local Safer Neighbourhood Team in Littleover (SNT) have been promoting the legislation around scooters on social media.

Our Priorities



- Vulnerability
- Fighting Crime
- Our People
- Prevention and Partnerships
- Responsive and Visible Policing
- Service to the Public
- Trust and Legitimacy



3) Traffic Stops Scrutiny

Case 1:

Location	Amber Valley
Subject	Male White No age recorded
Breathalysed? Drug Wiped?	No
Reason for Stop	Intel marker on vehicle relating to drugs.
Incident summary	Two officers have stopped a vehicle because there is a drug intel marker linking the vehicle to drugs. The officers question the driver, and conduct identity checks.
Outcome (i.e. arrested/ Detained)	No further action by the officer. The driver is allowed to go on his way.
Body Worn Video (BWV)	Yes
Use of force used	None.
Panel Observations	An IM asked if there is a national system which police can use to check license and insurance. Sergeant AT explained that the officer with the Body Worn Video (BWV) on is using a mobile device to carry out checks on the driver. The officer could be seen on the BWV requesting to see the drivers license. Sergeant AT explained to the IMs that he would be speaking to the officers who conducted the Traffic Stop to find out why they let the passenger leave the vehicle and area based on the intelligence they used for the Traffic Stop. An IM asked if under the Road Traffic Act if

	<p>the officers could have kept the passenger by or in the vehicle. Sergeant AT explained that the officers couldn't have detained the passenger under the Road Traffic Act because the Act only allows an officer to detain a driver but the officer could have used other powers based on the intelligence linking the vehicle to drugs.</p> <p>An IM noted that the officer conducting the checks for the Traffic Stop didn't give away too much information around the reason behind the Traffic Stop. Sergeant AT agreed that the officer provided a reason but didn't overshare regarding the intelligence.</p> <p>An IM asked if the marker linking the vehicle to drugs would remain in place. Sergeant AT explained that the marker would not be removed but the officer who conducted the Traffic Stop could add intelligence about the Traffic Stop and that this may have an impact on whether officers choose to Stop the vehicle in the future.</p> <p>An IM said that they were happy with the officer approach to the Traffic Stop.</p> <p>An IM commented that they felt the officer provided a reason for the Traffic Stop.</p> <p>Sergeant AT stated he would provide feedback to the officers around conducting a more thorough stop.</p> <p>An IM noted that the officers were in uniform which complied with the legislation around Traffic Stops. Sergeant AT explained that the stopping officer must be in visible policing uniform but that they can be in an unmarked vehicle.</p> <p>Action for HC to update the minutes template to include this as a check during scrutiny panel meetings.</p>
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Panel Decision	<p>IMs agreed that the officers provided a clear explanation for the reason for conducting the Traffic Stop.</p> <p>IMs felt that the officers could have conducted a more thorough check using other policing powers based on the intelligence and that the passenger could have been detained based on the intelligence.</p>
Actions taken by Police/ feedback	<p>Sergeant AT to share feedback with the officers involved and their supervisor.</p> <p>Action to be completed before the next Traffic Stops scrutiny panel meeting.</p>

Case 2:

Location	A50 Derby
Subject	Male White 41 years
Breathalysed? Drug Wiped?	No
Reason for Stop	Stopped after being seen committing an offence.
Incident summary	The officer conducting the Traffic Stop observed the driving using a mobile phone whilst driving.
Outcome (i.e. arrested/ Detained)	The driver received a penalty (fine) and point on their license.
Body Worn Video (BWV)	Yes
Use of force used	No

<p>Panel Observations</p>	<p>An IM commented that they supported the Traffic Stop 100%.</p> <p>An IM noted that they were happy with the Traffic Stop.</p> <p>An IM felt that the officer was a bit too casual with the driver, because the driver had committed an offence.</p> <p>An IM felt that the officer was too apologetic.</p> <p>An IM felt that the conversation came across quite disjointed.</p> <p>Sergeant AT explained that the officer was the acting Sergeant on shift that day which is why the IMs could hear the radio in the background on the BWV. Sergeant AT highlighted that from the BWV the officer could be seen to reminding the driver of their right to contest the ticket.</p> <p>An IM highlighted that there is a serious issue with people using their phones whilst driving. Sergeant AT explained that there are the fatal 4 that Traffic Officers focus on when dealing with traffic offences using phones whilst driving, speeding, not wearing seatbelts and driver under the influence of alcohol or drugs.</p> <p>An IM asked around the consequences for the driving offence. Sergeant AT explained the officer has the discretion whether to issue a ticket or arrest for a driving offence. Education and enforcement can be other options to handling traffic offences.</p> <p>An IM felt that the officer dealt with the audience appropriately, and that he wasn't too casual. IMs didn't know how the driver was feeling, and the officer was reassuring.</p>
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Panel Decision	IM felt that the officer had explained the reason for the Traffic Stop. Some members felt that the officer was too casual and apologetic. Some members felt the officer dealt with the driver appropriately.
Actions taken by Police/ feedback	Feedback to be shared with the officer involved and their supervisor.

Case 3:

Location	M1
Subject	Male White No age recorded
Breathalysed? Drug Wiped?	No
Reason for Stop	Stopped after being seen committing offence.
Incident summary	Driver observed by officer in a HGV van driving without wearing a seat belt.
Outcome (i.e. arrested/ Detained)	£100 fine, no points on license.
Body Worn Video (BWV)	Yes
Use of force used	No
Panel Observations	Sergeant AT explained to the IMs that the officer's BWV was from a different angle because officers using a motorbike wear their BWV on their helmet. This has led to a reduction in the number of disputes over penalties for offences because often the

	<p>offence is captured on camera by the officer whilst driving the motorbike.</p> <p>Sergeant AT explained that the force has operational officers using a HGV vehicle to capture people who are driving without wearing a seat belt.</p> <p>An IM asked if there is a particular type of van that is more likely to commit the offence. Sergeant AT responded that a particular type of van has been identified as a trend in the data.</p> <p>An IM noted that the officer on the BWV mentioned to the driver that there was a recording of the driver without his seat belt on. This provided a clear explanation to the reasoning behind the Traffic Stop.</p> <p>An IM asked how many people go to court to contest the Traffic Stop. Sergeant AT explained he didn't have this information to hand.</p> <p>Sergeant AT explained that the officer read a summary to the driver (the reason why he stopped him – in that he was not wearing his seatbelt) and applied a caution. Without doing this, the driver would have been able to contest the caution.</p> <p>An IM noted that it was good the officer was so friendly and that this kept the driver and passenger civil throughout the interaction.</p> <p>An IM noted that they were happy with the Traffic Stop.</p> <p>Sergeant AT explained that officer now use a Personal Digital Assistance (PDA) to complete forms including the forms for Traffic Stops which means that an officer may not interact in the same manner as when officers used to write paper tickets.</p>
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Panel Decision	IMs agreed that the officer provided a clear explanation for the Traffic Stop. IMs felt that the officer was friendly.
Actions taken by Police/ feedback	Feedback to be shared with the officer involved and their supervisor.

Case 4:

Location	Derby
Subject	Female Asian 22 years
Breathalysed? Drug Wiped?	
Reason for Stop	Stopped after being seen committing offence.
Incident summary	An officer stopped a driver because she was driving a vehicle in the evening in the dark and one of the lights was out.
Outcome (i.e. arrested/ Detained)	The officer pointed out the offence and let the driver go on their way.
Body Worn Video (BWV)	Yes
Use of force used	No
Panel Observations	<p>An IM asked what the law is around a car light being out. Sergeant AT explained that a vehicle operating in the dark with a light out is a traffic offence.</p> <p>An IM asked about the offence and what the consequence could be. Sergeant AT explained that the officer could have informed the owner of the vehicle and told the owner they needed to rectify the offence within a particular timeframe. This is</p>

	<p>usually 7 – 14 days, and the owner would need to provide evidence either by attending a police station or sending evidence the problem is rectified via email. Sergeant AT explained that it is down to the officer to decided how to deal with the traffic offence.</p> <p>Sergeant AT explained that the IMs could view moments of silence, this is where the officer can be seen on the BWV to be carrying out check on their hand-held device.</p> <p>An IM questioned whether it was appropriate or sensible for the male officer to ask the female driver of the stopped vehicle to sit in the front of the police vehicle. An IM highlighted that they had seen the officer put the light on in the police vehicle. Sergeant AT explained that along with the officers BWV there are a number of cameras in the car so if there had been a report against the officers conduct, the footage would be reviewed as part of an investigation.</p> <p>An IM commented that they were happy with the interaction.</p> <p>An IM felt that the Traffic Stop was amicable.</p> <p>An IM questioned if the officer had conducted a better search of the car (e.g. checking tyres) based on the offence and the age of the vehicle.</p>
<p>Panel Decision</p>	<p>IMs were overall happy with the explanation provided to the driver. Some IMs felt that the officer could have conducted a more thorough check of the vehicle and potentially followed up to check the fault was rectified.</p>
<p>Actions taken by Police/ feedback</p>	<p>Feedback to be shared with the officer involved and their supervisor.</p>

Our Priorities



Vulnerability



Fighting
Crime



Our
People



Prevention
and
Partnerships



Responsive
and Visible
Policing



Service to
the Public



Trust and
Legitimacy



Case 5:

Location	A38 Derby
Subject	Male White 44 years
Breathalysed? Drug Wiped?	
Reason for Stop	Stopped after being seen committing offence
Incident summary	A Traffic Officer has stopped a driver after witnessing an offence involving an insecure load.
Outcome (i.e. arrested/ Detained)	The driver is issued a ticket.
Body Worn Video (BWV)	Yes
Use of force used	No
Panel Observations	<p>Sergeant AT explained that officers tend to ask for identification or a driving license at the start of a traffic stop rather than explaining the reason for the traffic stop. Sergeant AT highlighted that the officer read the driver the caution for the offence.</p> <p>An IM noted that the driver appeared to be happy with the interaction and result of the Traffic Stop.</p> <p>An IM noted that the vehicle with an insecure load was a warning sign that there could have been bigger issues with the vehicle (e.g. brakes). Sergeant AT explained that Traffic Officers do conduct more thorough searches on a vehicles roadworthiness.</p> <p>An IM asked if the Traffic Stop information could be sent to Vehicle and Operator</p>

	<p>Services Agency (VOSA). Sergeant AT explained that officers can do this, but he was not able to comment on whether this was done for this traffic stop as the information is held in a different policing system.</p> <p>An IM felt that the officer was straight forward but not rude.</p> <p>An IM felt that the officer was pleasant and fair.</p> <p>An IM felt that the driver was penalized for the defects of a vehicle owned by the drivers employers. Sergeant AT explained that it is the responsibility of the driver to ensure the vehicle they are driving is roadworthy. Officers are able to pursue an organization or company if there is intelligence they are not conducting regular safety checks on company vehicles.</p> <p>An IM asked why another Traffic Officer turned up to the incident. Sergeant AT explained that it is possible the Traffic Officer was in the area and was checking in with a colleague as they were both single crewed. An IM noted that the second Traffic Officer noticed the worn tyres on the vehicle.</p>
<p>Panel Decision</p>	<p>IMs felt that the officer provided a clear explanation around the reasons the vehicle and driver was stopped.</p> <p>IMs felt that the officer was straight forward and pleasant.</p>
<p>Actions taken by Police/ feedback</p>	<p>Feedback to be shared with the officers involved and their line managers.</p> <p>Action: HC to add a check that officers are in uniform to the minutes.</p>

Case 6:

Location	Derby
Subject	Female White 19 years
Breathalysed? Drug Wiped?	No
Reason for Stop	Stopped after being seen committing offence
Incident summary	An officer stops a driver who they are witnessed driving in the right-hand lane for some distance when they were not overtaking a vehicle.
Outcome (i.e. arrested/ Detained)	The officer provided the driver advice around lane discipline.
Body Worn Video (BWV)	Yes
Use of force used	No
Panel Observations	<p>An IM noted that it was good the officer had picked this up as there are quite a few drivers who are guilty of driving at slow speeds in the right-hand lane or who are using the right-hand lane but not overtaking and returning to the left-hand lane.</p> <p>An IM felt that a clear explanation was provided.</p> <p>Sergeant AT explained to the IMs he had asked the officer prior to the meeting why they had not breathalysed the driver because the officer had mentioned alcohol in the initial reasoning for the stop. The officer explained to Sergeant AT that a pursuit came in over the radio minutes later. Sergeant AT has addressed this with the officer, because if the officer had a suspicion, they should have acted on it.</p>

Panel Decision	IMs agreed that the officer clearly explained the reasoning for the Traffic Stop, and that the officer educated the young driver.
Actions taken by Police/ feedback	Feedback to be shared with the officer involved and their supervisor.

Case 7:

Location	Derby
Subject	Female White 43 years
Breathalysed? Drug Wiped?	No
Reason for Stop	Stopped after being seen committing offence
Incident summary	Officer stopped a driver after observing the driver committing a traffic offence by using mobile phone whilst driving.
Outcome (i.e. arrested/ Detained)	Issued a ticket.
Body Worn Video (BWV)	Yes
Use of force used	No
Panel Observations	An IM asked why the police officer was driving an unmarked vehicle. Sergeant AT explained that the Roads Policing team has a mix of police marked vehicles and unmarked vehicles and that officers in unmarked vehicles tend to capture more traffic offences. Sergeant AT explained that the officer could

	<p>have mentioned the place of the offence taking place much earlier in the conversation because this does not happen until 4 minutes into the Traffic Stop.</p> <p>Sergeant AT noted that the officer mentioned glitches in the system where people have not received their tickets and that the officer should have been more aware of the consequence for this traffic offence around the points and fines.</p> <p>An IM noted that they were happy with the interaction between the officer and the driver.</p>
Panel Decision	IMs were happy with the interaction and that the officer had provided a clear explanation for the reason for the Traffic Stop.
Actions taken by Police/ feedback	<p>To check the recorded sex on the Traffic Stop form because the driver is recorded as Male but visually presents as Female on the BWV.</p> <p>Feedback to be shared with the officer involved and their supervisor.</p>

Case 8:

Location	Ilkeston
Subject	Male White 21 years
Breathalysed? Drug Wiped?	No
Reason for Stop	Stopped after being seen committing offence
Incident summary	Officer stopped the driver for a traffic offence of driving without due care or attention when the driver almost went into the officer whilst on a roundabout.

Outcome (i.e. arrested/ Detained)	Ticket for driving without due care or attention.
Body Worn Video (BWV)	Yes
Use of force used	No
Panel Observations	<p>IM felt that the officer should have conducted a drugs test. Sergeant AT explained that the officer would need a reason to conduct a drugs test or more intelligence around the vehicle or driver.</p> <p>An IM asked why the officer stopped in the road and didn't move their motorbike out of the way. Sergeant AT explained this was to ensure the driver could not flee.</p> <p>An IM felt that the officer carried out the Traffic Stop on a road with quite a bit of Traffic and that the driver should have found a place where the officer could have been safer and out of the way of traffic. Sergeant AT agreed that the officer could have found a safer place to conduct the Traffic Stop.</p> <p>IMs questioned the fitness of the driver as he appeared not to be present on the BWV. An IM commented that this could be for a variety of reasons, including the driver potentially being neurodiverse.</p>
Panel Decision	<p>IM felt the officer provided a clear explanation for the Traffic Stop.</p> <p>IMs felt the officer could have found a better location for the Traffic Stop and that the officer potentially put themselves at risk on the busy road but understood the shock of almost being hit whilst on a motorbike may have had an impact on the officer.</p>
Actions taken by Police/ feedback	Feedback to be shared with the officer involved and their supervisor.

Case 9:

Location	Derby
Subject	Male White 17 years
Breathalysed? Drug Wiped?	No
Reason for Stop	Stopped after being seen committing offence
Incident summary	An officer seizes the Escooter from the driver.
Outcome (i.e. arrested/ Detained)	Seizure of the escooter.
Body Worn Video (BWV)	Yes
Use of force used	No
Panel Observations	<p>Sergeant AT explained that there were two incidents captured in the same area where E scooters were seized in short period of time. The drivers were not fined for the offence.</p> <p>An IM noted they felt more needed to be done around educating members of the public around e scooters being used in public areas being an illegal offence. And that the consequence to officers seeing escooter being used in public is the escooter being seized.</p> <p>An IM felt that officers dealt with the situation fairly.</p>
Panel Decision	IM felt that the officer clearly explained the reason for the Traffic Stop and the reason for the vehicle being seized.

Actions taken by Police/ feedback	<p>Feedback to be shared with the officers involved and their supervisors.</p> <p>Feedback around the scooter campaign to be shared with the force's communication team.</p>
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Case 10:

Location	Chesterfield
Subject	Male White 57 years
Breathalysed? Drug Wiped?	No.
Reason for Stop	Stopped after being seen committing offence
Incident summary	The officer stops the driver for a traffic offence of driving with no license or insurance.
Outcome (i.e. arrested/ Detained)	Ticket for driving with no license or insurance.
Body Worn Video (BWV)	Yes
Use of force used	No.
Panel Observations	<p>An IM asked what the consequence would be for the driver. Sergeant AT explained that the driver would face a £200 fine and 6 points on their license if this was a first-time offence of this kind. However, as this was a repeat offence the driver is likely to be disqualified from driving through the courts.</p> <p>An IM felt that the officer was firm but fair with the driver.</p> <p>An IM commented that they were happy with</p>

	the Traffic Stop.
Panel Decision	IMs agreed that the officer provided a clear explanation for the Traffic Stop. An IM commented that officer had been in their opinion firm but fair.
Actions taken by Police/ feedback	Feedback to be shared with the officer and their supervisor.

Case 11:

Location	Chesterfield
Subject	Male Black 27 years
Breathalysed? Drug Wiped?	No
Reason for Stop	Stopped after being seen committing offence
Incident summary	An officer stops a driver who is a repeat offender for traffic offences and who was disqualified from driving in court earlier that day, and who was reported for driving to the police from the courthouse.
Outcome (i.e. arrested/ Detained)	Arrested
Body Worn Video (BWV)	Yes
Use of force used	Yes, handcuffed to the front.

<p>Panel Observations</p>	<p>An IM noted that the officer handcuffed the driver to the front, and training officers received teaches officers to handcuff to the rear.</p> <p>An IM asked if a person driving without a license or insurance, is a worse driver. Sergeant AT explained that it is hard to comment on the skill of a disqualified driver but a person driving without a license is more likely to have less knowledge and therefore be a worse driver.</p> <p>An IM raised a concern around officer approaching vehicles in the cases viewed in the scrutiny panel meeting. Sergeant AT agreed that in some of the cases viewed that officers could have parked their vehicles better or in a safer place and some officers could have approached the vehicles differently and that this feedback will be shared with officers and their line managers.</p>
<p>Panel Decision</p>	<p>IMs felt that the officer clearly explained the reason for the Traffic Stop, and the reason for the arrest.</p>
<p>Actions taken by Police/ feedback</p>	<p>Sergeant AT to check the use of force form has been completed by the officer.</p> <p>Feedback to be shared with the officer involved and their line manager.</p>

Further actions

HC to provide feedback around campaigns on scooters to the force's communications team.
 HC to add a check to minutes template around officers conducting Traffic Stops being in uniform.

HC and Sergeant AT to explore finding cases where people do not comply with the Traffic Stops.

HC to explore the possibility of the IAG participating in 'ride along' with the Traffic Officers.

Date of next meeting: 15th April 2025

