



# Derbyshire Police and Crime Commissioner

Protecting Communities,  
Fighting Crime

## Stop Search Scrutiny Panel

Date of meeting: Wednesday 28<sup>th</sup> February 2024

### Attendance Police

Adrian Miller (AM) – Police Constable

Phoebe Stott (PS) – Caseworker and Volunteer Coordinator

### Independent members

*BM – independent panel member*

*LK – independent panel member*

*PA – Independent panel member*

*BA – independent panel member*

*CB – independent panel member*

*KG (shadowing) – independent panel member*

### 1) Welcome and Introductions

This scrutiny panel was held online via Microsoft Teams.

PS welcomed all the panel members to the meeting. AM introduced himself to the panel members.

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

### **GOWISELY**

Police officers use the acronym '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)

Identity 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.

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

**DP** - Detained person

**BWV** – Body Worn Video

**XXX** - Redaction

## 2) Stop Search Scrutiny: North

Case 1

<b>Date</b>	28/01/2024
<b>Time</b>	02:09 AM
<b>Location</b>	High Street, Buxton
<b>Subject</b>	Male 34 W1. White British
<b>PE Search Power:</b>	PACE 1984 (s1)
<b>PE Search Reason:</b>	Bladed article
<b>PE Search Outcome:</b>	No – no object(s) found
<b>PE Search Clothing Removed</b>	No – no clothes removed
<b>Stop Search type</b>	Stop Search – Person Only
<b>Incident summary</b>	DP has been named to be involved in an altercation outside bar involving a knife.  <b>Observations:</b> when speaking to DP, he had approached police first  <b>Information/intelligence:</b> Door staff from ‘named’ night club in Buxton had named DP to be involved with a group of males to have had a knife in possession.  <b>Suspicion prior to search:</b> DP had been named and known to staff which had been seen with a male who had a knife.
<b>Outcome (i.e., arrested)</b>	No further action
<b>Body Worn Video Available</b>	Yes- viewed by the panel

## Feedback from the Independent Panel Members

<b>Panel Observations</b>	Good description of grounds.  GOWISELY and the search was very straight forward.  The panel raised concerns regarding officer safety as the DP was smoking a cigarette whilst detained. AM advised it is down to the discretion of each officer in terms of whether they will allow the DP to smoke during being detained.
<b>Panel Decision</b>	Panel agreed that the description of the grounds justified the stop search and the BWV gave evidence for compliance.
<b>Actions taken by Police</b>	Feedback on the stop search to be shared with officers involved.

Case 2

<b>Date</b>	XXXX
<b>Time</b>	XXXX
<b>Location</b>	Somercotes, Alfreton
<b>Subject</b>	Female 28 W1. White British
<b>PE Search Power:</b>	Misuse of Drugs Act 1971 (s23 (Possession))
<b>PE Search Reason:</b>	Drugs – other controlled drugs
<b>PE Search Outcome:</b>	No – no object(s) found
<b>PE Search Clothing Removed</b>	No – no clothes removed
<b>Stop Search type</b>	Stop Search – Person Only
<b>Incident summary</b>	<p>The grounds were not entirely covered in my S23 MODA SEARCH due to subject being given grounds when detained for purpose of S8 PACE WARRANT. Subject was then advised that she would be detained for purpose of a search in relation to possessing any drugs.</p> <p><b>Observations:</b> House containing drug paraphernalia, prior intelligence with regards to subjects dealing and using drugs at address, behaviour of subject suggested drug use as she was very erratic and could not stand still.</p> <p><b>Information/intelligence:</b> Prior intelligence in relation to the address. That occupants and anyone else in address suspected of dealing and using class A drugs.</p> <p>All subjects were detained by Task force officers upon initial forced entry into property.</p> <p><b>Suspicion prior to search:</b> Suspicion was due to being in the address whereby concern for occupants supplying Class A drugs and anyone else in the property using/dealing drugs.</p>
<b>Outcome (i.e., arrested)</b>	No further action
<b>Body Worn Video Available</b>	Yes- viewed by the panel

**Feedback from the Independent Panel Members**

<b>Panel Observations</b>	<p>As stated in the description of the grounds, GOWISELY wasn't completely covered - the officer ID and the station the officer is attached to was missing.</p> <p>There was a lot of confusion around this case due to the different warrants and powers involved. The panel would like clarification as to whether the Section 8 Warrant does give officers the power to search any persons present in the property without the need of having to do a Stop Search as well.</p>
<b>Panel Decision</b>	Panel agreed that the description of the grounds justified the stop search and the BWV gave evidence for compliance.
<b>Actions taken by Police</b>	Feedback on the stop search to be shared with officers involved. Feedback about use of GOSWISELY to be shared with relevant departments. Awaiting clarification regarding the powers granted by A Section 8 Warrant.

## Case 3

<b>Date</b>	30/01/2024
<b>Time</b>	13:30 PM
<b>Location</b>	New Square, Chesterfield
<b>Subject</b>	Female 46 W1. White British
<b>PE Search Power:</b>	PACE 1984 (s1)
<b>PE Search Reason:</b>	Stolen Goods
<b>PE Search Outcome:</b>	Yes – the object(s) searched for
<b>PE Search Clothing Removed</b>	No – no clothes removed
<b>Stop Search type</b>	Stop Search – Person Only
<b>Incident summary</b>	Report from CCTV stating that a female had attempted to steal from one store and had then entered Tesco and took items from there. Female described as wearing blue jeans, black jacket and pink bobble hat. <b>Observations:</b> female located which was confirmed by CCTV that this was the person we were looking for. <b>Information/intelligence:</b> female detained for purpose of search who confirmed taking food and a bottle of whiskey; <b>Suspicion prior to search:</b> conformation from CCTV that this was the female we were looking for.
<b>Outcome (i.e., arrested)</b>	Voluntary Attendance
<b>Body Worn Video Available</b>	Yes – viewed by the panel

## Feedback from the Independent Panel Members

<b>Panel Observations</b>	GOWISELY was covered very thoroughly. Panel were impressed that the officer asked if the DP had any problems and if they were affecting her and asked if she needs any further assistants.  The panel further commented that the officer was very calm, caring and sympathetic for the DP, the search was very good.
<b>Panel Decision</b>	Panel agreed that the description of the grounds justified the stop search and the BWV gave evidence for compliance.
<b>Actions taken by Police</b>	Feedback on the stop search to be shared with officers involved.

## Case 4

<b>Date</b>	30/01/2024
<b>Time</b>	20:40 PM
<b>Location</b>	Ripley
<b>Subject</b>	Male Age not recorded; age range recorded as 35-59 W1. White British
<b>PE Search Power:</b>	PACE 1984 (s1)
<b>PE Search Reason:</b>	Goods - duty not paid, etc.
<b>PE Search Outcome:</b>	No – no object(s) found
<b>PE Search Clothing Removed</b>	No – no clothes removed
<b>Stop Search type</b>	Stop Search – Person Only
<b>Incident summary</b>	<p>Male identified as person believed to have been concealing items with intent to make off without paying by staff member. Staff member reported seeing the male taking items from the store and placing them down his trousers. Male was present at shop front when officers arrived and the informant confirmed the male present was the individual he had seen concealing items down trousers.</p> <p><b>Observations:</b> Male was aggressive and irate on officer attendance and was reluctant to engage. Male refused to provide his details and was uncooperative raising suspicion.</p> <p><b>Information/intelligence:</b> Staff member identified male as having been in company of male that had been seen stealing from the store recently.</p> <p><b>Suspicion prior to search:</b> Male identified by staff member as having concealed items within his trousers from within the store. Male refused to provide his details and would not engage.</p>
<b>Outcome (i.e., arrested)</b>	No further action
<b>Body Worn Video Available</b>	Yes – viewed by the panel

## Feedback from the Independent Panel Members

<b>Panel Observations</b>	<p>Panel identified that this would have been a very difficult search for the officers and although they understand the situation the officers were in, they did not like some of the language that was used by the officers when engaging with the DP and advised more appropriate wording could have been used instead.</p> <p>It was questioned by the panel as to whether the attitude of the officers made the situation worse.</p>
<b>Panel Decision</b>	Panel agreed that the description of the grounds justified the stop search and the BWV gave evidence for compliance.
<b>Actions taken by Police</b>	Feedback on the stop search and about the language used to be shared with officers involved.

## Case 5

<b>Date</b>	31/01/2024
<b>Time</b>	16:23 PM
<b>Location</b>	Newbold, Chesterfield
<b>Subject</b>	Male 23 W1. White British
<b>PE Search Power:</b>	Misuse of Drugs Act 1971 (s23 (Possession))
<b>PE Search Reason:</b>	Drugs – other controlled drugs
<b>PE Search Outcome:</b>	No – no object(s) found
<b>PE Search Clothing Removed</b>	No – outer clothes only (JOG)
<b>Stop Search type</b>	Stop Search – Person Only
<b>Incident summary</b>	<p>Subject was involved in an RTC where the offender had chased him. subject was ran through on NICHE and there was multiple pieces of intelligence linking him to drug dealing.</p> <p>Subject was also riding an E-Bike, recently Chesterfield have had issues with males on E-Bikes who have been dealing drugs whilst on the bikes. Subject stated that he was with another male before Police arrived, but he would not provide details of his friend.</p> <p><b>Observations:</b> Subject would not give officers details of his friend on the other E-Bike, quite evasive when asked what he was doing in the area.</p> <p><b>Information/intelligence:</b> Multiple pieces of intel linking subject to dealing drugs.</p> <p><b>Suspicion prior to search:</b> Subject would not give officers details of his friend on the other E-Bike, quite evasive when asked what he was doing in the area.</p>
<b>Outcome (i.e., arrested)</b>	No further action
<b>Body Worn Video Available</b>	Yes – viewed by the panel

## Feedback from the Independent Panel Members

<b>Panel Observations</b>	Good grounds for the search.
<b>Panel Decision</b>	Panel agreed that the description of the grounds justified the stop search and the BWV gave evidence for compliance.
<b>Actions taken by Police</b>	Feedback on the stop search to be shared with officers involved.

### 3) Stop Search Scrutiny: South

#### Case 1

<b>Date</b>	28/01/2024
<b>Time</b>	17:45 PM
<b>Location</b>	Swadlincote
<b>Subject</b>	Male 20 W1. White British
<b>PE Search Power:</b>	Misuse of Drugs Act 1971 (s23 (Possession))
<b>PE Search Reason:</b>	Drugs – other controlled drugs
<b>PE Search Outcome:</b>	Yes- the object(s) searched for
<b>PE Search Clothing Removed</b>	No – no clothes removed
<b>Stop Search type</b>	Stop Search – Person Only
<b>Incident summary</b>	<p>Plain clothes officers sight male cycling up with no lights in seen to act suspicious outside the XXXXX pub, looking around before entering a side alley. Male is suspected to be supplying at the pub. Officers follow the male who quickly leaves scene after around 1 minute. Male is stopped by police and comes nervous and attempts to leave. Whilst speaking to male, he begins sweating profusely.</p> <p><b>Observations:</b> suspicious behaviour at location known for regular drugs drop. When stopped, male tries to make off and when detained sweats heavily due to being nervous. DP admits to being a user and may have drugs on him.</p> <p><b>Information/intelligence:</b> sighted by officers what is believed to be a drugs drop. Drug user states may have drugs.</p> <p><b>Suspicion prior to search:</b> believed to be drug dealing and observed by plain clothes police as it took place.</p>
<b>Outcome (i.e., arrested)</b>	Conditional offer of red snapper
<b>Body Worn Video Available</b>	Yes – viewed by the panel

#### Feedback from the Independent Panel Members

<b>Panel Observations</b>	Panel commented that the officer was very good and had a very calm manor. The explanation of GOWISELY was good and the panel were impressed that the officer ensured the DP understood everything. Good search, good grounds.
<b>Panel Decision</b>	Panel agreed that the description of the grounds justified the stop search and the BWV gave evidence for compliance.
<b>Actions taken by Police</b>	Feedback on the stop search to be shared with officers involved.

## Case 2

<b>Date</b>	29/01/2024
<b>Time</b>	21:09 PM
<b>Location</b>	Wardwick, Derby City
<b>Subject</b>	Male 24 W1. White British
<b>PE Search Power:</b>	Misuse of Drugs Act 1971 (s23 (Possession))
<b>PE Search Reason:</b>	Drugs – other controlled drugs
<b>PE Search Outcome:</b>	Yes - object(s) searched for
<b>PE Search Clothing Removed</b>	No – no clothes removed
<b>Stop Search type</b>	Stop Search – Person and Vehicle
<b>Incident summary</b>	<p>Uniformed officers saw the DP with a cannabis joint in his hand in a public street. DP told officers he had more in a tobacco pouch, but no pouch was on his person only a car key. DP explained the car was at a mates home but the car key on him unlocked a car on next street. That car was searched as well and inside that car was the tobacco pouch and cannabis.</p> <p><b>Observations:</b> saw the DP holding a joint of cannabis. Noted he had a Kia car key on his person and a Kia it unlocked was round the corner despite the DP claiming it was at home.</p> <p><b>Information/intelligence:</b> none of note.</p> <p><b>Suspicion prior to search:</b> Noted DP had a Kia car key on his person and a Kia it unlocked was round the corner despite the DP claiming it was at home. DP said he had more cannabis on his person but that was not on him during person search. It was suspected he was lying about car being in proximity as the cannabis he mentioned was in fact in the car.</p>
<b>Outcome (i.e., arrested)</b>	Community Resolution
<b>Body Worn Video Available</b>	Yes – viewed by the panel

## Feedback from the Independent Panel Members

<b>Panel Observations</b>	Officer was very caring and ensured the DP was comfortable. The officer reassured the DP on numerous occasions throughout the process.
<b>Panel Decision</b>	Panel agreed that the description of the grounds justified the stop search and the BWV gave evidence for compliance.
<b>Actions taken by Police</b>	Feedback on the stop search to be shared with officers involved.



## Case 3

<b>Date</b>	30/01/2024
<b>Time</b>	20:43 PM
<b>Location</b>	Swarkestone
<b>Subject</b>	Male No age recorded A9. Any other Asian background.
<b>PE Search Power:</b>	Misuse of Drugs Act 1971 (s23 (Possession))
<b>PE Search Reason:</b>	Drugs – other controlled drugs
<b>PE Search Outcome:</b>	No – no object(s) found
<b>PE Search Clothing Removed</b>	No – no clothes removed
<b>Stop Search type</b>	Stop Search – Person Only
<b>Incident summary</b>	<p>Vehicle (XXXX XXX) parked down a dark country lane with two males inside. The registered keeper had a previous disposal of a cannabis warning and when spoken to admitted having cannabis inside the vehicle.</p> <p>The male I searched, the passenger, refused to give any details, he appeared unwilling to engage with Police and due to cannabis being present in the vehicle I had suspicion that he may also be in possession of a banned substance.</p> <p><b>Observations:</b> Cannabis was present inside the vehicle. - The male was unwilling to engage with Police. Due to the above I suspected the male would be in possession of a banned substance.</p> <p><b>Information/intelligence:</b> Registered keeper had a previous disposal for a cannabis warning and also explained to the police that he had cannabis inside his vehicle.</p> <p><b>Suspicion prior to search:</b> I suspected the subject was in possession of Cannabis.</p>
<b>Outcome (i.e., arrested)</b>	No further action
<b>Body Worn Video Available</b>	Yes – viewed by the panel

## Feedback from the Independent Panel Members

<b>Panel Observations</b>	Good grounds for the search. Officer was calm and professional.
<b>Panel Decision</b>	Panel agreed that the description of the grounds justified the stop search and the BWV gave evidence for compliance.
<b>Actions taken by Police</b>	Feedback on the stop search to be shared with officers involved.

## Case 4

<b>Date</b>	30/01/2024
<b>Time</b>	12:00 PM
<b>Location</b>	Derby City
<b>Subject</b>	Male 19 W1. White British
<b>PE Search Power:</b>	Misuse of Drugs Act 1971 (s23 (Possession))
<b>PE Search Reason:</b>	Drugs – other controlled drugs
<b>PE Search Outcome:</b>	No – no object(s) found
<b>PE Search Clothing Removed</b>	No – no clothes removed
<b>Stop Search type</b>	Stop Search – Person Only
<b>Incident summary</b>	<p>Male seen in company with two others who were handing out items to people within a secluded car park. Made off when approached by plain clothes officers. Once details were established, intelligence exists linking the two parties he was with to drugs supply. I had unknowingly seen this male with the other two detained persons last week.</p> <p><b>Observations:</b> Seen to be with others handing out items. Made off.</p> <p><b>Information/intelligence:</b> Intelligence to say that the two people he was with are involved in the supply of controlled drugs.</p> <p><b>Suspicion prior to search:</b> Suspicion that all three were involved in the supply of controlled drugs and that all three could realistically be in possession of drugs.</p>
<b>Outcome (i.e., arrested)</b>	No further action
<b>Body Worn Video Available</b>	Yes – viewed by the panel

## Feedback from the Independent Panel Members

<b>Panel Observations</b>	<p>Good grounds for the search.</p> <p>As the BWV camera was obstructed, what the panel could see and hear on the BWV, nothing from GO WISELY was covered.</p> <p>AM provided feedback that the officer conducting the search was in plain clothes and his Sgt did review the BWV and advised that the entirety of GOWISELY was covered prior to the BWV being turned on.</p> <p>Due to this, the panel are unable to comment on the search and whether it was conducted appropriately as they did not hear any GOWISELY and they did not see the search being conducted.</p>
<b>Panel Decision</b>	Panel agreed that the description of the grounds justified the stop search.
<b>Actions taken by Police</b>	Feedback on the stop search to be shared with officers involved.

Case 5

<b>Date</b>	31/01/2024
<b>Time</b>	15:00 PM
<b>Location</b>	Derby City
<b>Subject</b>	Male 28 W1. White British
<b>PE Search Power:</b>	Misuse of Drugs Act 1971 (s23 (Possession))
<b>PE Search Reason:</b>	Drugs – other controlled drugs
<b>PE Search Outcome:</b>	Yes – the object(s) searched for
<b>PE Search Clothing Removed</b>	No – no clothes removed
<b>Stop Search type</b>	Stop Search – Person and Vehicle
<b>Incident summary</b>	Vehicle stopped on suspicion of no insurance. Strong smell of cannabis coming from the car. Driver appeared nervous/worried and was visibly shaking.  <b>Observations:</b> Smell of cannabis Driver nervous;  <b>Information/intelligence:</b> no relevant intel;  <b>Suspicion prior to search:</b> Suspected possession of cannabis
<b>Outcome (i.e., arrested)</b>	Community Resolution
<b>Body Worn Video Available</b>	Yes – viewed by the panel

**Feedback from the Independent Panel Members**

<b>Panel Observations</b>	Good grounds for the search.  Queries were raised regarding the one officer covering GOWISELY and identifying all the individual officers to both DPs. It was asked whether the officer that conducted the search, should have identified himself and covered GOWISELY to the individual separately.  AM advised this is an operational tactic and is down to each officers own discretion.
<b>Panel Decision</b>	Panel agreed that the description of the grounds justified the stop search and the BWV gave evidence for compliance.
<b>Actions taken by Police</b>	Feedback on the stop search to be shared with officers involved. Feedback about use of GOSWISELY to be shared with relevant departments.

**4) Further actions**

No further action aside from clarity to be provided regarding the powers an S8 Warrant gives an officer and whether a stop search was necessary.

**5) Date of next meeting:** Wednesday 27<sup>th</sup> March 2024