

Appendix A – Stop and Search and Use of Force ICSP RAG Guidance

Stop and Search

Green	Amber	Red
<p>Stop and Search was conducted professionally</p>	<p>Learning and training needs identified</p>	<p>Stop and Search not conducted professionally</p>
<p>The basis of Green is the stop and search was good.</p> <p>1 The stop & search was conducted professionally, Reasonable suspicion test was met and GOWISELY Fully complied with. The panel complimented the officer. Feedback was positive and there were no dissenting opinions</p> <p>2 The stop & search was conducted professionally and the legal test was met. Only minor feedback to be noted or considered by the officer for the future.</p> <p>3 Reasonable grounds test met. The stop and search was professional and the DP understood why they were stopped and searched however either two minor points for consideration or handcuffs were used without an explanation.</p> <p>4 All components of the policing principles and standards of professional behaviour were applied during the interaction.</p>	<p>The basis of Amber is that there are learning and training needs identified.</p> <p>4 A main item from GOWISELY missed such as the grounds (G) a specific object (O) or you are entitled to a receipt (E).</p> <p>Or the BWV not turned on in time without justification to capture the whole encounter.</p> <p>5 Two or more elements of GOWISELY were missed or the officer failed to ensure the DP understood the basis for the stop search. Handcuffing not explained.</p> <p>6 Handcuffs used without meeting the “necessary test” or were kept on for too long after it has been established the member of the public didn’t have the item.</p> <p>7 The officer did not treat the person according to the Code of Ethics (e.g. fairly or with the required respect and courtesy) but the panel didn’t consider it serious enough to warrant an investigation.</p>	<p>The basis of red is (a) Reasonable suspicion did not exist and one of the following; the panel considered the use of force to be excessive, language to be inappropriate or offensive and or the treatment of the person was not acceptable.</p> <p>7 Reasonable suspicion did not exist to perform the stop search. The grounds for conducting were vague or the stop search was not necessary for the officer to establish if the Detained Person had a specific illegal item. The panel may not consider this category to warrant further investigation from professional standards. (This may be referred to the officers inspector for noting and monitoring).</p> <p>8 Reasonable grounds did not exist. The officers used inappropriate language, and did not comply with GOWISELY. Or the reasonable suspicion test was not met</p> <p>and the officer was unnecessarily offensive. The officer <u>unnecessarily</u> escalated the situation.</p>

Use of Force

Green Use of Force was necessary and undertaken reasonably and professionally	Amber We understand why force was used but advice is required and/or training issues may be present.	Red Use of Force was not unnecessary nor compliant with training. The action taken may be unlawful.
<p>The basis of Green is the stop and search was good.</p> <ol style="list-style-type: none">1. The correct level of force was applied in the circumstances and throughout the encounter.2. The correct level of force was applied by the officer but where initial verbal communication was possible it could have been better.3. The correct level of force may have been applied but it is desired that a minor matter needs to be drawn to the officer's attention from the Panels observations.	<p>The basis of Amber is that there are learning and training needs identified.</p> <ol style="list-style-type: none">1. Accountability issues arise in terms of failure to switch on BWV in time and/or to accurately complete documentation or voice could have been used beforehand.2. Force might have been justified but applied for too long or having chosen the correct level of force the officer's proficiency in its use was lacking giving rise to a need for training.3. Force may have been justified but the officer escalated too quickly to a higher level without regard to the requirement to use the minimum level in the circumstances.	<p>The basis of red is the panel considered the use of force to be excessive, non-compliant with training and/or the treatment of the person was not acceptable.</p> <ol style="list-style-type: none">1. The level of force was not proportionate to the risk faced by the officer.2. The level of force was significantly greater than that necessary to protect the officer or the public and the panel had additional concerns.3. The officer used force entirely without need and did so to injure/punish or in a discriminatory fashion. The officer's actions were unlawful.