

<b>For Consideration</b>	
<b>Public/Non Public*</b>	<b>Public</b>
<b>Report to:</b>	<b>Police and Crime Panel</b>
<b>Date of Meeting:</b>	<b>5 February 2024</b>
<b>Report of:</b>	<b>Commissioner Henry (PCC)</b>
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<b>Agenda Item:</b>	<b>8</b>

## **Independent Community Scrutiny Activity**

### **1. PURPOSE OF THE REPORT**

- 1.1 The purpose of this report is to provide the Police and Crime Panel with an update on the work of the Commissioner's Independent Community Scrutiny Panel (ICSP). The ICSP was developed in 2022 to help improve perceptions and experience of policing among Black and Minority Ethnic communities through greater transparency and accountability and improving understanding of how the policing powers are used in Nottinghamshire.
- 1.2 The report details the activity of the panel since its inception and the observations and feedback provided by the ICSP to support police and OPCC activity to strengthen trust and confidence between in police among the community they serve.

### **2. RECOMMENDATIONS**

- 2.1 That the Panel discuss the report and note the progress made.

### **3. REASONS FOR RECOMMENDATIONS**

- 3.1 For information and assurance purposes, and to enable Police and Crime Panel to understand how the Commissioner is addressing disproportionality within the use of policing powers such as Stop and Search and Use of Force.

### **4. Summary of Key Points**

- 4.1 This report details the activity of the ICSP in reviewing an anonymised dip sample of cases during 2023. The paper also includes an update on the training received by the ICSP to support their scrutiny work and actions taken by the force in response to feedback provided.

- 4.2 The Commissioner recruited two new members to the ICSP in March 2023 to bring the total membership to 6. New members include an executive officer from the third sector and a senior lecturer in Social Work, both of whom identify as being from the Black community.
- 4.3 The panel and OPCC have developed a RAG scoring framework for stop and search and Use of Force interactions. These frameworks are based on expected practice of officers following official training and College of Policing guidelines on Use of Force and Stop and Search. The conduct a post-panel meeting to consider their observations, conduct further analysis and come to a consensus on a rating.
- 4.4 All panel members have received relevant training which has provided them with a sound knowledge of current legislation, guidance and best practice. This has included:
- Stop and Search: Panel members observed training on stop and search powers and procedures. The training also covered the National Police Race Action Plan and the responsibility of officers to embed anti-racist practice within policing.
  - Initial Officer Training and Practice Skills: Panel members observed role play with new officers on potential situations they may face on the front line.
  - Ride along scheme: Some panel members have taken the opportunity to join police officers on shift to see first hand how they deal and respond to live incidents.
  - Induction: Panel members have received inductions from heads of department for Stop and Search, Use of Force, Hate Crime and Complaints. Information packs were shared to reinforce learning on the legislation underpinning police powers and Q&A sessions were held to clarify what the benchmark is for frontline practice.
- 4.5 In each case, Panel members have been given the opportunity to provide feedback to training officers from a community perspective. In addition to training provided, panel members have been provided with force laptops to improve efficiency of data sharing. OPCC staff are currently undergoing training to create custom PowerBI dashboards so panel members can dip sample cases and disaggregate data easily.
- 4.6 Panels are held on a quarterly basis with a focus on specific themes, including hate crime, stop and search and use of force. Each session will typically involve scrutiny of three randomly selected incidents in which body worn video and supporting information from occurrence reports and incident logs will be reviewed in detail. Panel members will also listen to audio files and contact management files which capture interactions between police, police staff and members of the public.
- 4.7 Recommendations made by the panel are recorded in an action log action log which is maintained by the OPCC and referred directly to the Head of Local Policing to disseminate learning. Following each scrutiny session, the action log is reviewed at the force's Powers

Board, where representatives from the OPCC are present to capture assurances of how recommendations are impacting upon organisational learning. The ICSP receive feedback on action taken at their following meeting. The Commissioner's Accountability Board provides an escalation route in the event that Panel members or the OPCC feel that further assurance is required or the force response to any recommendations has been insufficient. The force response to the ICSP feel further action is required. Issues or trends identified by the Panel that require medium to longer term implementation may also be captured within the Commissioner's annual Police and Crime Delivery Plan.

## 5. Hate Crime

5.1 Panel members took part in a scrutiny panel focussed on hate crime on the 7 February supported by the force's hate crime lead. Of the three cases reviewed by the panel, two involved Racially aggravated assault and one involved racially aggravated harassment. The panel provided several points for feedback:

**Empathy and communication:** The panel observed that greater empathy and reassurance could have been used in the call handler's tone and speech when listening to the audio file of a woman calling from home reporting racially aggravated harassment from her neighbour.

**Victims follow up:** The panel provided positive feedback in the wraparound care provided in two cases. In the case of a racially aggravated assault on the tram system, the panel noted that several welfare calls were made to the victim to prevent repeat victimisation and offer support. In the second case of the same nature, the victim only received one call of support and they didn't pick up the phone. Feedback was provided that further effort should have been made to ensure that the victim was well supported.

5.2 Feedback was provided to the Head of Local Policing following the panel session. Consequently, the Force have reviewed how they teach empathy and communication in their review of their cultural competency workstream. The frequency of contact to keep a victim informed on the progress of their case as well as following up on their welfare is noted as an area for improvement in relation to high volume policing investigations and the Force sent assurances to the panel that improving in this area is a priority.

## 6. Stop and Search

6.1 The ICSP also conducted a stop and search scrutiny panel on 11 July. Of the three cases reviewed one involved a PACE stop and search of a white male aged 25 to 34 in an Operation Grip hotspot (graded Amber); one involved stop and search of a Black male aged 25-34 under s23 Misuse of Drugs Act (graded Green) and; one involved the stop and search of an Asian male aged 18 to 24, also under s23 Misuse of Drugs Act (Graded Amber/Green). Observations and feedback from cases were as follows:

**Timing of body worn video:** The panel observed in one stop and search case that body worn video had been turned on late, omitting some parts of the interaction prior to the detained person being handcuffed. The panel noted that the use of handcuffs could have been proportionate, but not enough information was available for this to be conclusive.

**Consistent use of GO WISELY:** The panel observed that thorough and accurate use of GO WISELY was not evident. Though most elements were followed, the grounds and purpose of the search were not communicated clearly enough to the detained person in the first and third cases. These may have been communicated outside of the body worn video available, but again it is important that consistent use and early activation of camera equipment is essential for proper scrutiny.

**Personable communication and rapport building:** The panel observed in the second case that the officer detaining the person was patient and polite, putting the detained person at ease. A conversation was had around football putting the person at ease and a cordial tone was maintained throughout. All elements of GO WISELY were observed.

- 6.2 Action was undertaken by Nottinghamshire Police following the panel session. Feedback was given to the police constables who engaged personably with the detained people to encourage them and echo through the organisation that positive recognition will be given following good practice. The positive impact of this feedback on frontline officers as result of community scrutiny should not be underestimated.
- 6.3 Feedback has also been given to police trainers on the use of body worn video and taken account of in reviewing the new stop and search policy which went live in September 2023. This emphasises that body worn video should be activated as soon as possible and that this is subject to review from the ICSP.

## **7. Use of Force**

- 7.1 A Use of Force scrutiny panel was conducted on 10 October 2023 in which cases involving two Black males aged 18 to 24 and one White male aged 35 to 50 were reviewed. Analysis, actions and recommendations from this session are currently being reviewed by Nottinghamshire Police and will be published in due course.

## **8. Forward Work Programme**

- 8.1 A further Stop and Search scrutiny panel is scheduled for the 30 January 2024. Following observation of the ICSP from HMICFRS inspectors in October 2023, two recommendations have arisen:
  - 8.1.1 HMICFRS inspectors noted that the OPCC should ensure that ICSP members have observed Officer Safety Training (OST) to support their role. This will increase their understanding of what “good” practice and behaviour looks like when engaged

physically with the public and give them a comparative benchmark when providing feedback to the force.

8.1.2 HMICFRS inspectors recommended increasing the frequency of Stop and Search panels in line with national practice. Currently the panel only conduct Stop and Search 1-2 times a year in rotation with other topics of concern to Black and Minority Ethnic Communities. In response a proposal to restructure the current ICSP to a dedicated Stop and Search ICSP, with a secondary focus on Use of Force. Consultation will be carried out with Black and Minority Ethnic communities to listen to other areas of concern with scope for the PCC to convene further panels in the future, reflecting good practice from other policing areas.

8.2 Further work is being conducted by the OPCC in partnership with Nottinghamshire Police to improve the consultation process to inform the work programme of the ICSP and improve communications in how the concerns of Black and Minority Ethnic communities are being addressed. For example, to improve the ICSP's focus on cases of community concern, the possibility of including a "QR" referral code or link on the digital receipt following Stop and Search encounters is being explored.

## **9. Human Resources Implications**

9.1 None – all recommendations of relevance to Force HR are already in practice within Nottinghamshire Police.

## **10. Equality Implications**

10.1 The work of the panel reflects recommendations from HMICFRS to improve trust and confidence in Black and Ethnic Minority communities. It meets the delivery objectives of Pillar 3 of the Race Action Plan by increasing involvement of Black communities in the governance of policing.

## **11. Risk Management**

11.1 None

## **12. Policy Implications and links to the Police and Crime Plan**

12.1 The objectives of the ICSP directly supports the Commissioner's 'Makes Notts Safe' Plan especially the support pillar of the plan in engaging with communities to improve trust and confidence.

### **13. Changes in Legislation or other Legal Considerations**

13.1 None which affects the content of this report.

### **14. Appendices**

Appendix 1 – Use of Force and Stop and Search scoring framework.

### **15. Background Papers (relevant for Police and Crime Panel Only)**

A) None

For any enquiries about this report please contact:

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