

SCRUTINY REVIEW REPORT 2019

Safer Neighbourhood Panel	Newcastle under Lyme
Working Title:	Use of Force - November 2019
Reason for enquiry:	Mandated
Background:	A largely new panel has now been trained and are able to undertake this type of scrutiny. Susan Keller, Adrian Chell (Data Champion) and Graham Hutton (Chair) joined Sergeant Greg Ikins (Deputy Commander Newcastle).
Review of Findings:	<p>The team looked at four Use of Force body worn videos (BWV) but only three of these were the pre-specified BWVs. Incident 706 on the 6 September 2019 had no BWV even though there had been a court conviction regarding this incident.</p> <p>Incident 964 (24/7/19) had BWV that started in the police van. Prior BWV of the arrest was not available. However, the BWV we saw showed a violent man in one cell and a quiet man in another. They had been arrested at a house party after the host called the police. The violent prisoner was charged with Resisting Arrest and the quiet prisoner was given a Community Resolution (often an apology will suffice). The arrest record detailed that tactical communications followed by unarmed skills and handcuffing were used and the arrest was because of alcohol abuse and worries about the crowd reactions.</p> <p>Incident 381 (19/7/19) had BWV of a domestic incident. This was excellent and from a number of body cams. The police were diplomatic to an incredible level. The BWV showed an angry and distressed man shouting, threatening police (verbally and with a tyre lever). The police used parva spray and arrested him struggling to handcuff him behind his</p>



back. He was charged with Resisting Arrest. The record reflects the BWV evidence.

Incident 3 (8/9/19) had BWV of a drunk ejected from a pub. The police took pity on the man and offered to take him home, which he eventually agreed to. He repeatedly could not give the police his address. It was unclear why. Then he threatened the police by saying he would break their jaw. He swore a lot. Fortunately the man was handcuffed and in the rear of the police car. One officer was a Special Constable so the senior officer called for backup. When this came the man was identified as having previous form of attacking the police. He was arrested and charged with Breaching the Peace. No record was produced for inspection.

Incident 880 (23/7/19) was a backup incident. We saw some BWV of the start of this incident where a youth was asking a PCSO to give back a bag he had lost. This was in police custody and contained drugs and money. There were too many youths for the PCSO to move on so back up was called for. The next BWV showed a 16 year old youth in handcuffs in the police car. He swore and screamed all the way to custody. He was arrested and charged with Public Order and Resisting Arrest. The BWV of the arrest was not available. The arrest record detailed that tactical communications followed by unarmed skills and handcuffing were used and the arrest was because of suspected drug misuse and worries about the crowd reactions.

Prior to the viewing of BWV Sgt Ikins explained that he did not have the Use of Force Forms as there had been a change of staff at County Hall and they were not aware that the County held these. They will be retrieved as soon as possible for comparison to these notes.

Conclusions:

Whether through lack of knowledge or other reasons there were a number of pertinent BWVs not available. This might be incredibly important in a court case. Violence can escalate quickly.

However, from what we saw we can conclude that all police officers acted in an exemplary fashion. They were courteous, diplomatic and used the least force necessary. What force they used we felt was appropriate.



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Recommendations:

The uploading, storing, grouping of BWV needs to be examined to ensure that best practice is followed. This is more than an administrative function as BWV may be crucial as evidence.

**NPT Commander
Report Feedback:**

Feedback will be provided to the Senior Management Team re future storage solutions for BWV. It is pleasing to understand that Use of Force procedures are legitimate and proportionate.

SCO Response:

A thorough piece of scrutiny conducted, the SCO will raise with the Force lead the issue regarding retention of BWV footage in incidents where force is applied.