



COMMISSIONERS INDEPENDENT SCRUTINY REPORT

Use of Force Scrutiny Review

19th October 2023

Scrutiny Panel:

USE OF FORCE

Members:

Donna Walker
Emma Buckley
Richard Scholes
Robert Spencer

Also present:
Chief Inspector Dave Barrow
Michelle Ryan – SCO
Holly Sproston - SCO

Purpose:

That the Use of Force policy and procedure has been followed and that Body Worn Video reviewed are compliant with the law and are being used effectively. The panel will focus on:

- Whether Body Worn Video policy was adhered to.
- Whether the Use of Force level used was necessary.
- Whether the Use of Force level used was proportional to the incident.
- Is the action/behaviour justified.
- Has it been explained adequately.
- Has it been recorded properly.

Panel Findings:

The time period selected for Use of Force incidents was from 1st September 2023 to 30th September 2023. There were 463 Use of Force incidents recorded in this period. As agreed at the previous scrutiny meeting, all use of force incidents in Custody were removed. These are covered by the Commissioner's Independent Scrutiny Panel for Custody.

The panel randomly selected 10 incidents at their pre-meeting on 6th October 2023.

Of those 10 incidents, two did not have body worn video. Chief Inspector Barrow informed the panel that he had contacted the officers concerned for an explanation.



Incident 21230132734 – related to the arrest of an individual who was wanted on warrant for failing to appear at the Magistrates court. Officers were alerted to this following a PNC check on the individual who was compliant. Following arrest, the individual was handcuffed and conveyed to custody. The officer did not activate his BWV during the arrest or compliant handcuffing due to the cooperative nature of the individual. The officer did submit the relevant use of force form to record the use of handcuffs for scrutiny purposes.

Officer has been reminded that body worn camera should be enabled for all planned use of force.

Incident 21230126595 – This incident related to a dynamic response by officer in plain clothes who at the time had no facility to wear BWV which is an overt piece of Kit. Officer documented the use of force used appropriately with completion of use of force form which was able to be scrutinised.

The remaining eight incidents were reviewed. STORM logs of the incidents were provided. Panel members were reminded that the STORM log is a live record of events as they happen and indicate calls and information being provided by officers as the incident unfolds. It is not the investigation record. The STORM logs are provided to give some context to the incident leading up to the use of force being deployed and enables panel members to be cognisant of the situation in determining whether the use of force was appropriate in a potentially quickly developing situation. In most cases, Witness Statements were also provided.

The Incidents viewed are outlined in Appendix 1

The panel noted the following:

- The Scrutiny forms used by the panel as part of the scrutiny process needed to be updated on both sides. This was completed immediately.
- The panel were extremely impressed with the courage of officers in incident 21230135502.
- Following incident 21230127437 the panel would like to know what training officers are given in getting non-compliant detainees in to a police vehicle.
- It was noted that 80% of UOF is compliant handcuffing. The panel decided that for future scrutiny they would focus on other types of force and have only 1 compliant handcuffing to ensure that BWV was used.

The panel agreed the use of force deployed was appropriate and proportional to the situations viewed.



Recommendations:

- The panel requested the updating of the Scrutiny Review form for future scrutiny – completed immediately.
- The panel would like the two officers in incident 21230135502 to be commended for their courage and bravery in a very challenging and distressing situation.
- The panel to mainly focus on use of force type other than compliant hand cuffing.

Force Lead Response:

It is always pleasing to see officer's bravery and calmness under stressful and dangerous situations being acknowledged. This is testament not only to those officers but to the dedicated training team that deliver the Operational Personal Safety Training (OPST) across the force.

Officers undergo significant initial training and have a 1-day refresher every year. As of April 2024, this is increasing to 2-days. This will see further investment which will include more scenario-based training which will build on the in vehicle protective tactics that are currently trained on the initial course.

Occurrence No.	Date	Tactic Type Used	UOF Necessary?	UOF Proportional?	Description / Comments
21230121726	04/09/2023	Unarmed skills (including pressure points, strikes, restraints, and take-downs); Non compliant handcuffing	Yes	Yes	Comprehensive information provided through statements. BWV very clear. Level of force necessary to ensure a potentially volatile situation did not escalate. Several BWV clips shown.
21230127692	10/09/2023	Unarmed skills (including pressure points, strikes, restraints, and take-downs); Non compliant handcuffing; spit guard and hood.	Yes	Yes	Threats to officers from several people. Individual was verbally aggressive and resorted to spitting. Appropriate level of force administered to ensure safety of individual and officers.
21230132734	20/09/2023	Compliant handcuffing	-	-	No BWV available. No statement provided. Individual arrested under warrant and compliant handcuffs were used. Officer advised that BWV must be used for all UOF
21230135502	26/09/2023	Ground restraint; Pava spray; non compliant hand cuffing.	Yes	Yes	Clear BWV from several officers. Individual was very aggressive attacking police vehicle with an axe. Two PCs extremely courageous in disarming the individual whilst using appropriate level of force in a very frightening situation.
21230132594	19/09/2023	Compliant handcuffing	Yes	Yes	Individual not convinced that restraining order was in place and became agitated. Female



					officer took control of situation and cuffed individual quickly and efficiently.
21230132420	19/09/2023	Compliant handcuffing	Yes	Yes	Individual compliant and non aggressive.
21230126595	08/09/2023	Unarmed skills (including pressure points, strikes, restraints, and take-downs);	yes	Yes	No BWV as this was a plain clothes operation and officers were not wearing BWV cameras
21230127437	10/09/2023	Ground restraint; leg restraints; non compliant handcuffing	Yes	Yes	Aggressive individual who required a number of officers to restrain. Individual was very threatening and making racist remarks to officers. Several attempts to get individual into police vehicle.
21230126792	08/09/2023	Unarmed skills (including pressure points, strikes, restraints, and take-downs); Taser; non compliant hand cuffing	Yes	Yes	Domestic violence incident where perpetrator had a knife and was aggressive to officers. Individual red dotted with taser and knocked to floor for further restraint in a threatening situation.
21230126023	07/09/2023	Dog deployed; compliant handcuffing	Yes	Yes	Individual ran off whilst being stopped and questioned. Dog deployed and individual surrendered to police and was handcuffed.