

COMMISSIONERS INDEPENDENT SCRUTINY REPORT

Use of Force 11 August 2022

Scrutiny Panel:	USE OF FORCE
Members:	<p>Emma Buckley Sarah Hill Penelope Rowlands Barry Stanyer</p>
Purpose:	<p>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:</p> <ul style="list-style-type: none"> • 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:	<p>The time period selected for the Use of Force incidents was from 1st May 2022 to 31 June 2022. The incidents were randomly selected by the panel at their pre meeting held on 13 July 2022.</p> <p>The Incidents viewed are outlined in Appendix 1</p> <p>Six incidents were selected. Two incidents did not have Body Worn Video footage available. Both of these incidents took place in the Custody Facilities. As such the review of any Use of Force in Custody comes under the remit of the Custody & Detention Independent Scrutiny panel.</p> <p>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.</p>



The panel agreed that in all cases where BWV was viewed the use of force deployed was appropriate and proportional to the situation.

The panel noted that the officers, whilst having to use force, acted professionally and correctly.

Recommendations:

The recommendation is that a pre check of BWV selected by panel is undertaken by Commissioner's Office and incidents which occur in custody are removed.

No recommendations for Force.

Force Lead Response:

I can confirm that personal body cameras are usually turned off in the custody block as we have so many cameras in here. It seems sensible that we leave the custody use of force incidents out and stick to the street footage. Custody is heavily scrutinised anyway and with custody sergeants watching prisoners closely a disproportionate use of force in custody will likely always be noticed and reported through the correct channels.

Appendix 1 Matrix of Use of Force Incidents.

Incident No.	Date	Tactic Type Used	UOF Necessary?	UOF Proportional?	Description / Comments
21220058371	08/05/2022	Unarmed skills; Compliant handcuffing;	Yes	Yes	Investigation in to alleged assault at suspect's home where alcohol factors and markers on potential weapons at address.
21220065502	23/05/2022	No BWV – incident happened in Custody	-	-	Panel agreed that incidents in custody would not be selected in future scrutiny reviews.
21220071745	05/06/2022	Unarmed skills; non-compliant handcuffing; PAVA spray	Yes	Yes	Drink driver restrained and arrested. Driver very aggressive and situation volatile.
21220042328	05/04/2022	No BWV – incident happened in Custody	-	-	Panel agreed that incidents in custody would not be selected in future scrutiny reviews.
212200822362	28/06/2022	Unarmed skills; Ground restraint; Compliant handcuffing	Yes	Yes	16 year old arrested and resisted arrest. Detainee very agitated and aggressive.
21220082245	27/06/2022	Compliant handcuffing; PAVA; Limb restraints; CED red-dotted	Yes	Yes	Handcuffing viewed. Other UOF tactics used once detainee had been transferred to custody – not seen. Detainee very aggressive on BWV seen.