

COMMISSIONERS INDEPENDENT SCRUTINY REPORT

Use of Force

21 June 2022

Scrutiny Panel:	USE OF FORCE
Members:	<p>David Ensor – Chair Donna Walker Emma Buckley Richards Scholes Robert Spencer Sarah Hill Penelope Rowlands</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 March 2022 to 31 April 2022. For the inaugural meeting only, the incidents were randomly selected by the Chair, David Ensor. For subsequent scrutiny review, the panel will attend a pre-meeting in order to jointly select and agree incidents to view.</p> <p>The Incidents viewed are outlined in Appendix 1</p> <p>Six incidents were originally selected. Two did not have Body Worn Video footage available. One incident involved the deployment of the Armed Response Team and Force policy indicates that BWV should be operated. Chief Inspector Barrow will investigate why this was not the case in this particular incident.</p> <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 welcomed the information given, in terms of the STORM logs and statements from officers to</p>



support the body worn video footage. It was agreed that this gave good context to what was observed within the footage.

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

Recommendations:

The Force Lead is asked to investigate and report back to the Panel on the two incidents where Body Worn Video footage could not be found. The records were selected for scrutiny because BWV was listed. In particular the incident concerning a reported firearm, as there was an ARV response and to check that it is compliant with the Body Worn Video Policy.

Force Lead Response:

Force policy does not stipulate that BWV has to be deployed when force is used, although it is best practice to activate BWV where possible. It needs to be acknowledged that due to the spontaneous nature of when force is sometimes used it is not always practicable to foresee its use and pre-emptively activate BWV.

That's said the firearms incident which was teenagers with a bb weapon I would have expected this to have had BWV due to the nature of the deployment. On investigation with Insp Kelsal (Firearms) I can confirm this was captured on BWV however as no evidential need was required for the footage this was not stored past the initial 28 days and as such was not available on the day of the CISP.

Appendix 1 Matrix of Use of Force Incidents.

Incident No.	Date	Tactic Type Used	UOF Necessary?	UOF Proportional?	Description / Comments
21220048568	18/04/22	Limb restraint	Yes	Yes	Restraint of 9 year old boy.
21220043554	07/04/22	BWV Not available	-	-	-
21220049534	20/04/22	CED Red dotted/ Rigid cuffs	Yes	Yes	Knife point robbery of corner shop. Suspect with knife locked in shop.
21220044910	10/04/22	BWV Not available	-	-	Force to investigate why no BWV as ARV was deployed to incident.
21220036471	23/03/22	Limb restraints/ rigid cuffs/ Pava drawn	Yes	Yes	Woman in wheelchair using walking stick to attack public and police.
21220034348	19/03/22	Rigid cuffs/ Pava spray/unarmed skills	Yes	Yes	Nightclub fight assault of police officer.