

# Use of Force

## SCRUTINY REVIEW REPORT 2019

### Safer Neighbourhood Panel

South Staffordshire Safer Neighbourhood Panel

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### Working Title:

Scrutiny of **Use of Force**

### Reason for enquiry:

South Staffordshire Safer Neighbourhood Panel (SNP) along with other Staffordshire SNPs is requested by the Staffordshire Commissioner's Office (SCO) to conduct two mandatory scrutinies of Staffordshire Police's Use of Force and Stop & Search, specifically how these powers are utilised by the local neighbourhood policing team for South Staffordshire.

This scrutiny review of Use of Force will examine whether police officers in discharging their duties have used the powers invested in them appropriately and proportionally, assessed the risks posed in applying the various forms of force to both those members of the public and themselves, and whether they have clearly articulated the reasons for applying force as well as informing them of their statutory rights.

This scrutiny will review the contents of randomly selected body cam video footage, witness statements and STORM log reports requested by the Panel's scrutiny team.

### Background:

In advance of the scrutiny and acting on behalf of the SCO, the Panel requested specific Use of Force records for June-July 2019 period from the South Staffordshire NPT Commander and his team. Those records included officers' body worn camera video footage recorded during incidents where force was applied by police officers, along with the related STORM reports and witness statements.

The South Staffordshire SNP scrutiny panel initially requested 6 incidents, only to be informed by the NPT that due to technical issues, two of the videos were unavailable but related material was, and a third video was classified as a restricted incident.



As a result a further 3 different incidents were then selected and requested by the scrutiny panel and were made ready by the NPT for scrutiny on August 7.

Scrutiny Case number	Incident date	Incident number	Evidence	Notes
1	06/06/2019	SP-20190606-0109	Video, STORM report, witness statements	<i>Domestic incident.</i>
2	01/06/2019	SP-20190601-0738	Video, STORM report, witness statements	<i>Stabbing. LPT provided access to additional video footage</i>
3	04/06/2019	SP-20190604 - 0849	Video, STORM report, witness statements	<i>Stolen vehicle/pursuit. Roads Policing Team (not NPT)</i>

**Case 1:**

This lengthy incident (over 2 hours in duration) initially involved 2 PCs from the NPT, who were later joined by other officers (3 at one point). Police had been called to investigate a domestic disturbance where allegedly an adult male had assaulted a female. Upon arrival police officers could not get a response from the occupants and it was believed there were 2 or 3 females and one adult male resident in the property.

After many attempts to gain a response from the occupants within the property, the officer leading the investigation had to resort to threatening to forcibly gain entry to the property, in order to ascertain the well-being of the occupants. This threat along with the infinite patience of the leading police officer who eventually managed to persuade the adult female to open the front door, permitting the officers to enter, locate and handcuff the male who was asleep in bed. He was then carefully supported by the leading officer downstairs and taken away from the property. The conduct of the NPT officers was exemplary in the opinion of the SNP scrutiny team.

**Case 2:**

4 NPT officers were called to a small railway station where a young white male closely fitting the description of a youth who had allegedly stabbed another during a fight and was at the station waiting for a train. Officers approached a shelter on the platform where the shirtless youth accompanied by two other young males was waiting. Upon request he identified himself (the name he gave was later found to be false). A train arrived and the youth embarked closely



followed by officers, who persuaded him to alight in order that they might talk further with him. After several minutes and having obtained the youth's T-shirt all 4 officers moved quickly to surround the youth on the platform announcing that he was under arrest and why. The youth instantly became violent, lashing out with his arms, whereupon the officers were forced to restrain him, forcing him to the ground. He continued to lash out at the officers who then handcuffed him, but not before he had managed to assault two of them and drew blood from their faces. The youth was then led away from the platform to a police car. The scrutiny team watched 3 different officers' video recordings of the incident, which provide a very clear account. Again the professionalism and conduct of the police officers in that situation was commendable.

### **Case 3:**

According to the data provided to the Panel's scrutiny team, this incident involved a police armed response unit, based at Staffordshire Police HQ. The scrutiny team watched two different sets of bodycam footage produced by both the police officers involved in the incident and the subsequent arrests.

Both sets of video footage began recording at the moment immediately after the suspects' vehicle had rammed the police vehicle following a night-time pursuit and causing both vehicles to stop. Both officers alighted their vehicle, quickly apprehending and handcuffing each occupant, the driver having alighted and the passenger remaining in the backseat until removed and handcuffed by the police officer. According to the STORM log, both occupants were wanted in connection with several alleged thefts.

Both police officers dealt with a very dangerous and life-threatening situation in a most professional manner.

### **Pre – scrutiny preparation:**

1. The Use of Force spreadsheet covering June-July 2019 relating to the work of the South Staffordshire NPT provided the scrutiny team with considerable prior information attesting to the accurate recording of the incidents that were later viewed on August 7. These permitted the team to identify the main types of force used in advance of the scrutiny.

Specifically in the examples that were viewed, these were:

- Tactical communications
  - Handcuffing
  - Use of unarmed skills (restraints and take downs)
  - Physical restraint
2. Where possible the selection of incidents tried to include the work of NPT officers.



3. The time frame selected from June 1-July 9 2019 included 18 recorded incidents of the use of force in the South Staffordshire LPT region.
4. 6 records were selected, and of these 3 were selected for scrutiny on the day. It was decided to restrict the number of incidents to 3 so as not to compromise the ongoing work of the NPT based at Codsall Police Post.
5. The panel were acutely aware that police officers are trained to use force proportionately, lawfully and only when absolutely necessary. This fore-knowledge was the basis of their scrutiny.

## Review of Findings:

Although the sample size was small, the scrutiny team were unanimous in that the cases viewed provided sufficient evidence that the standards in the use of force are being maintained by the police officers viewed in the video footage.

As mentioned earlier, one of the incidents did not involve local officers, but did show the effective and dynamic support available to the NPT from specialist police officers.

### Recording the scrutiny team's findings:

This was achieved by each member of the team completing the SNP Use of Force Review Template, consisting of 5 main points concerning the use of force, namely:

- Use of Force type
- Body Worn Video Footage Available?
- Did the footage match the Use of Force Form?
- Did the Use of Force have Lawful Objective?
- Do you consider the amount of force used was reasonable and proportionate?

Below is a summary of the team's observations:

Case	UoF Type used	BWV available ?	BWV matched UoF form?	UoF Lawful Objective?	UoF reasonable & proportionate?
1	Handcuff (compliant)	Yes	Yes	Yes	<b>Yes</b> - in order to protect officers from alleged assaulter.
2	Physical restraint, Takedown, Handcuff	Yes	Yes	Yes	<b>Yes</b> -youth had allegedly stabbed another youth and became violent when arrested.
3	Handcuff, physical restraint	Yes	Yes	Yes	<b>Yes</b> -vehicle occupants had failed to stop and had rammed police car.



## Conclusions:

- The exercise was very worthwhile showing that the officers demonstrated very good application of Use of Force protocols across a range of situations. This was witnessed during review of the body worn videos evidence. In each of the 3 cases police officers demonstrated that their use of force was absolutely necessary, proportionate and lawful.
- The team were particularly impressed by the leadership, positivity and limitless patience displayed by PC Clifford 4907 in Case 1. This was further affirmed by the clear trust and confidence displayed in him by his fellow officers.
- The team were pleased to experience a much-improved sound system linked to the videos-this was a considerable improvement on previous scrutinies! The visual quality of the videos was also noticeable, even during the night incident in Case 3.
- The team would also like to thank CI Ward and Sgt Wareing for facilitating the scrutiny, and in particular appreciated the thorough preparation undertaken in advance of the scrutiny by IO Alexa Trusselle.

## Recommendations:

None.

## LPT Commander Report Feedback:

Details all noted. Thank you for the scrutiny and the feedback. Albeit a small sample size, I am pleased to see that the panel found each example to be of the standards expected of officers in terms of professionalism and maintaining necessity, reasonableness and proportionality. I especially note and will feed back the comments to PC Clifford for his leadership when dealing with his incident. I am proud of the work of the team and this scrutiny should provide further evidence of a professional and positive South Staffs NPT.

## SCO Response:

A well planned and conducted piece of scrutiny by the South Staffordshire SNP and NPT. It is pleasing to see that the Use of Force being applied in South Staffordshire by both the NPT and Centralised teams is both lawful and proportionate in the incidents reviewed.