



NORTHAMPTONSHIRE
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USE OF POWERS SCRUTINY PANEL

Summary of On-line Discussion: 8 June 2023

Chief Inspector Pete Basham welcomed participants to the on-line discussion. He noted that, unfortunately, there seemed to be a scheduling clash with an IAG meeting which had reduced the number of attendees.

FEEDBACK FROM 11 MAY 2023

The two Stop & Search incidents – Cases 1 and 3 - had been fairly run-of-the-mill, with the officers' scoring requiring no further action. Feedback from the Panel on the handcuffing exercise had been positive; the Community Co-chair agreed that it had been a useful thing to do. CI Basham advised that he would continue to look at opportunities for "hands on" experiences, and invited Panel members to feedback their suggestions to kim.billingham@northants.police.uk or via their feedback sheets at future meetings.

CASE 5: CI Basham reminded the Panel that this was the incident where two officers had spent a long time talking to a female and obtaining advice from a mental health specialist before arresting her for assaulting her partner. In the course of the arrest, she bit one of the officers and was re-arrested for assaulting an emergency services worker. Whilst the Panel's feedback fell slightly below the threshold for positive feedback, CI Basham had nevertheless decided to speak to the officers because – in his personal opinion – they had managed the situation extremely well.

Outcome: CPS declined to charge the first assault because the victim withdrew his support and refused to make a statement. The female was remanded overnight and pleaded guilty to assaulting the police officer; the magistrates imposed a fine.

The Panel then referred to the recent announcement by the Metropolitan Police that it would cease to attend mental health incidents unless there was a threat to life, seeking assurances that Northamptonshire Police had no plans to follow suit. CI Basham explained that all police forces always responded to incidents where there was a perceived threat to life, although some forces were trying to pass responsibility for mental health incidents and welfare concerns back to other agencies with more specialist mental health expertise. He stressed that Northamptonshire Police had no plans to adopt the Met's model, but would always ask the agency reporting the mental health concern to attend first. A team of mental health professionals supported the Force – Op Alloy – based in the Force Control Room, which provided invaluable expertise. All forces responded to incidents where a crime was reported.

The Panel was concerned that without the power to detain a person suffering a mental health crisis, other agencies would be unable to intervene as effectively as a police officer. CI Basham pointed out that a police cell was rarely the best place for a person in a mental health crisis, but stressed that no changes to the current arrangements would be made unless statutory partners were confident that other agencies were equipped to resource a 24-7 service. Currently, non-crime mental health incidents were easy to transfer to a more appropriate agency within normal office hours, but outside that timeframe, especially at weekends when the greatest number of calls was received, there might only be skeletal staffing in the crisis team covering the whole of the county. Op Alloy provided invaluable out of hours support, with mental health professionals crewed with police officers attending some mental health incidents.

CI Basham reiterated that no amendments to the current policy were under consideration locally, but undertook to feedback to the Panel if that should change.

CASE 6: This was the arrest of a young man -in his mother's kitchen, whilst a docile dog looked on - on suspicion of kidnap. The Panel noted that the officers should have worn gloves, but otherwise had no concerns about the incident. CI Basham confirmed he had delivered positive feedback to the officers.

Outcome: The investigation was still on-going.

CI Basham referred to the Action he had taken from the last meeting about consulting with Force systems administrators on adding wearing gloves to the supervisors' checklist for Stop & Search reviews. He advised that he had chased for a response to his query, but had yet to receive a reply.

Post meeting note: *The amendment had been agreed, and "Did the officer wear gloves? Yes/No" was in the process of being added to the checklist. ACTION CLEARED*

His other action from the last meeting was to liaise with the Force Training & Development team and establish what measures were in place to help officers avoid allegations of sexual impropriety; CI Basham reminded the Panel that this had arisen from viewing the case of an intoxicated young woman wearing a very low-cut dress, who had been searched (by a female officer) in the street. He reported that officer training stressed that males should search males and females should search females wherever possible, and that officers should use the backs of their hands when "patting down". **ACTION CLEARED**

FEEDBACK FROM 06-12-2022

CI Basham reminded the Panel of the incident in which officers had arrived at the scene to find a male pinning a female to the floor and had used force to remove him; it was not clear whether the officers knew the male had called 999 for assistance with the female's mental health. The Panel had expressed reservations about the degree of force used, but he had not acted upon this feedback because the male had made a formal complaint which was investigated by the Force's Professional Standards Department. He advised that this investigation was now complete, and had included a review of the footage by an officer safety training instructor; the finding was:

[investigator] has viewed the officers' body worn video of your arrest. After viewing this she finds the officers' actions proportionate and reasonable in the circumstances and does not believe the force used was excessive or likely to have caused any injury

The PSD report concluded that it was reasonable in the circumstances presented to the officers for them to deem that the male was the aggressor, and thus to remove him from the female as quickly and safely as possible.

ACTION: CI Basham to consult with Professional Standards Department to determine how learning from complaint investigations, particularly those where the complaints are not upheld, is disseminated to officers.

FEEDBACK FROM 11 MAY 2023 (continued)

CASE 4: This was the short clip showing a young male suspected of assaulting his ex-partner and believed to be in possession of a machete being arrested outside his ex-partner's house; armed officers, Taser officers and a police dog handler all contributed to the arrest.

The Panel's feedback on this case was mixed, but the overall low score met the threshold for further action. Not being trained in firearms himself, CI Basham advised that he had referred the matter to an inspector in the Firearms Operations Command, who had provided a written response:

The report itself is not uncommon in terms of weaponry faced by AFOs on almost a daily basis and because of this they are very well trained in terms of understanding the threat such weapons pose to themselves upon contact with subjects but also the threat to the wider public if they don't deal effectively with such reports.

Having taken a second opinion, to ensure my understanding of the tactics they are taught, I am satisfied that the approach the Officers took to verbally engage with the subject and dominate the situation is in line with their training. The idea of the verbal domination, although it appears very oppressive and aggressive, is to maximize the likelihood of the subject complying with the directions given by Officers which ultimately are to stop anyone coming to harm.

The area where I believe there is some learning, and where I will be speaking to the training team, is the communication from the Officers to the subject. Although I do support the shouting, dominating style of communication to gain control, I do believe they could have at least told the subject he was either being arrested or being detained. There is a balance to be had here however in that the Officers need to get the subject to comply quickly with their orders which on this occasion was to get on the ground. The question I will put to the training team is whether we should be clearly giving the statement of arrest or detention first and then an order to get on the ground. It may be that there are good reasons why we don't do this but I do think this example opens up a route for us to explore if we can improve how we manage these very dynamic situations.

CI Basham sought views from the Panel on the approach taken; support was expressed for the idea of involving specialist officers and even suggested an advisor be present to give a professional view, independent of the police. CI Basham was concerned that such an expert might sway the views of the Panel, meaning that the feedback provided would no longer be the immediate reaction of a member of the public.

The Panel highlighted what seemed to be a misunderstanding of the role and powers of the police; the young man arrested had stood his ground for several seconds instead of dropping to the floor as instructed by the armed officers. The Panel felt there was a need to re-educate the public about the responsibilities and authority of the police – who carried weapons with the same legitimacy as members of the armed forces – and wondered whether engaging with secondary schools in delivering the citizenship curriculum would be advantageous. CI Basham acknowledged that it was not always possible for the police to explain what it did and how it did it, as some communities were distrustful, so ideally, that explanation should come from within the community where it would carry more weight. He saw the role of the Panel as a “critical friend” of the Force, pointing out where it could do better but also recognizing when things had been done well, and advising on how we should present ourselves to the public.

The Panel recommended more involvement in community events as a means of fostering better relationships, and stressed that the Force should not be reluctant to use lawful force when situations demanded it. CI Basham stressed that police forces were not “political”, although policies were clearly influenced by communities’ and media responses.

Outcome: The male was arrested for possession of a bladed article – a large combat knife was seized as he was searched. He was charged with x3 domestic ABH offences by CPS, pleaded guilty, and was sentenced to 20 months detention, with a concurrent 6-month sentence for the knife offence.

CLOSING REMARKS

CI Basham reported that on the recommendation of HM Inspectorate of Constabulary and Fire & Rescue Services, he had met with representatives from Hertfordshire Police, another force assessed as having made positive progress with its community scrutiny arrangements. The most notable difference between the two forces was that Hertfordshire ran separate panels for Stop & Search and Use of Force, something which he intended to explore with the Community Co-chair as he could see how it would allow a more detailed approach to Stop & Search. He recognized that this benefit had to be balanced against the need to recruit more willing participants from the community, as it would be unfair to expect Panel members to give up yet more of their time.

ACTION: ALL to feedback their thoughts on the proposal to set up two separate scrutiny panels for Stop & Search and Use of Force to kim.billingham@northants.police.uk before 30-06-2023.

CI Basham and the Community Co-chair would review the options, informed by feedback from the Panel, and present their proposals at the next discussion meeting, **10 August 2023**.