

Northamptonshire Police
USE OF POWERS SCRUTINY PANEL
12-01-2023

Pete Basham and Titus Ajay (Co-chairs) were delighted to welcome a record number of members of the community to the meeting. They were especially pleased by the attendance – facilitated by the Office of the Police, Fire & Crime Commissioner - of two young people from Thomas Becket Catholic School who had generously volunteered their time to provide another perspective of the Force's Use of Powers.

The Panel was shown video clips of five incidents recorded by officers using their body-worn video cameras, three Stop & Search interactions, and two examples of Use of Force. The video clips were randomly selected by the Panel's Community Co-chair from incidents occurring in November 2022. CI Basham commented that, once again, the random selection had resulted in an interesting range of activities being submitted for scrutiny.

Stop & Search

CASE 1: Two officers attend the subject's home, having been advised by the mental health hub that she had disclosed purchasing heroin. The subject denies having heroin, but does admit to having a small quantity of cannabis. The subject is searched; no heroin is found. The Panel scored the officer at **86.5%**:

- *I believe the officer did the very best in the circumstances*
- *Officer didn't ask the subject if she had any "sharps" on her person before starting the search*
- *Subject should have been given more time to collect her thoughts; the search caused her anxiety*
- *I believe the officer was very respectful and kind towards the female – good example of how to interact with mental health needs – Well done!*
- *Officer should have worn gloves*
- *No consideration by mental health hub or police that the subject may have invented the story about the heroin*
- *Some people with mental health do not like to be touched – this was not considered*
- *I think the officer did good, but could have asked the male officer to step out due to searching a woman*
- *Excellent communication*
- *The subject was very nervous; however the officer was very re-assuring; the communication was clear – I thought the officers responded well and handled the situation with dignity*

CASE 2: Officers pull over a vehicle on the ground it has a faulty rear light, and identify the passenger as known to the police for drug supply issues. Police intelligence links the driver to weapons and supplying drugs. The driver and the vehicle are searched; no drugs or weapons are found. (The passenger is also searched, but this is not captured on the video clip.) Regrettably, the sound quality was poor, with the wind distorting some of the conversation. The Panel scored the officer at **85.4%**:

- *Officer started the search before asking about any dangerous items*
- *Officer conversed with the subject about his drug use but didn't ask him if he was getting support, or advise that support was available*
- *Good interaction between officer & male – respectful approach – good example*
- *I think the officer is over-friendly – the exercise appears too chatty*
- *Very easy Stop & Search but the officer must handcuff*
- *Officer was polite and friendly, but professional with the subject being searched*

CASE 3: Officers respond to a 999 report of a domestic incident at an address flagged with warnings for weapons and firearms. The attending officers are suspicious of the delay before the door is answered, and on entering the property, find drugs paraphernalia, but no signs that a domestic incident has occurred. The 999 report is classified as a hoax call, but the householder is searched for drugs; no drugs are found. The Panel scored the officer at 71.2%:

- *Officer didn't advise the subject it was safe to put his hands down after the search*
- *Officers didn't inform the subject why they were attending, at the point he opened the door*
- *Officers didn't explain straight away why they attended*

NB: The Panel was critical of the response to the 999 call – for example, the number of attending officers, and the lack of initial explanation – rather than of the search itself, and this criticism has skewed the feedback score.

Use of Force

CASE 4: A lone officer is deployed to execute a Fail to Appear Warrant on behalf of the Family Court. (CI Basham clarified that the officer was acting as an agent of the Court, and therefore, was under an obligation to arrest and detain the subject of the warrant once he had located her; once she was under arrest, he had the legal power to enter her home.) The wanted person is found in her bedsit, in the company of her husband and two young children. She refuses to accompany the officer to custody without first speaking to her solicitor, claiming that she is not aware of missing a court hearing. In view of the limited space in which to manoeuvre, and the increasing distress of the two children present, the officer uses PAVA spray to gain control and takes her by the arm to escort her out of the premises. The Panel scored the officer at 81.5%, although it is fair to say that some members were extremely critical of his approach:

- *Shoddy job done – more time could have been allocated to better handle the situation – there was no reason for the officer's behaviour*
- *Appalling – no reason to use spray – subject put at risk by being made to walk when her vision was limited by the after-effects of the spray*
- *Should have ensured the children were out of the property before using force on their mother*

- *Positive attempts to get the children to leave the room whilst officer was dealing with the female – officer was very patient and remained calm; dealt with the situation well considering he was on his own*
- *Not a job for a single-crewed officer; officer should have avoided verbal command loops that weren't working*
- *I wonder why the man did not take the children away as advised by the officer*
- *Officer should have requested back up to ensure a swift arrest*
- *No need for force; also no need to have used the spray – more training for officer*
- *Should have sent a female officer; should not have used spray; kids very distraught and upset – officer needs family training for when kids are involved; very stressful for kids*
- *The officer was trying to get the subject to leave – she was not listening and was unfairly accusing the officer of being racist – should have had another officer with him – the officer could have calmed the situation and been more mindful of the children*

CASE 6: Report received of a group of violent shoplifters wearing black, including black balaclavas, followed quickly by a report of a taxi driver being robbed at knifepoint by a similar group of males. A group of males is found close to the locations of the offences but run away as the officers approach. Two splinter from the group, one of whom matches closely the description of the male possessing an A4 sized knife; he is seen to have something in his hand. The officer gives chase on foot and uses his Taser to “red dot” the two suspects (ie, he did not discharge his weapon). Both suspects are searched, but no knife is found. The Panel scored the officer at 79%:

- *No explanation as to why the subjects were being detained; just had a Taser pointed at them*
- *Officer was very clear with his instructions*
- *Shouting “red dotted” might not be understood by most civilians; risk that people are unlikely to obey commands if red dotted to the rear*
- *There was a bystander who should have been asked to leave*
- *I think the officer did the right in what he had to do to stop the offenders*
- *Officer has to do what was necessary in order to stop the offender*

CI Basham undertook to provide the Panel with updates on the outcomes of each of the incidents at the next on-line Discussion meeting.