

Northamptonshire Police
USE OF POWERS SCRUTINY PANEL
09-05-2024

Pete Basham and Titus Ajayi (Co-chairs) extended a warm welcome to everyone, especially those attending for the first time. CI Basham introduced Chief Inspector Wakeman, who was overseeing the transfer of Stop & Search scrutiny from the Panel to the Independent Advisory Groups, Inspector James Elliott from the Force's Strategy & Innovation Team, and Sergeant Gina O'Connor-Frisby, from Neighbourhood Policing. It was noted that there were no young people in attendance, it being the season for school exams.

The Panel watched video clips of four use of force incidents recorded by officers using their body-worn video cameras. The video clips on the theme of active or aggressive resistance were selected from incidents occurring in March 2024 by the Community Co-chair.

CASE 1: A report is received of a known transgender person stealing a bottle of wine; she is also known to have a communicable disease, to behave violently towards officers, and to spit at them. The suspect is located and spoken to, but makes off before the arrest can be completed. Following a chase, she is restrained by officers, and arrested. The suspect is subsequently re-arrested for assaulting a police officer. The Panel scored the officers at **71%**.

- *The officer could have taken charge of the situation earlier and might have prevented the initial attempt to escape*
- *The spit hood could have been used much earlier*
- *Detention should have been instant! Wouldn't have needed other resources*
- *Interacted consistently with the subject which was positive despite levels of escalation from subject*
- *Should have pulled the subject's trousers up to protect her privacy*
- *The amount of PCs – it appeared that it looked forceful, especially knee on her head whilst trying to attach spit guard*
- *Continue the communication to calm her down*
- *Just wondered about decency re exposure*
- *Well done officers – subject was resistant from the start, alcohol was an impact which doesn't always make good reasonable conversation. In my opinion officers remained in control – their message was always clear to subject. This was not an easy situation*
- *There could have been less officers – the subject most probably [would] act/respond differently*
- *Communication should only come from one officer – try using tone of voice to calm the subject*
- *Female officer was acting as a mediator between suspect and male officer at time of restraint – was good to see officer continuing to offer support*
- *Better communication with suspect – explain the process more. More clear instructions – saying “you know what's going to happen” wouldn't be clear if there are any speech/language needs*

There was a brief intermission whilst the two chief inspectors demonstrated the use of fast straps on a volunteer Panel member.

ACTION: CI Basham to arrange for a spit hood demonstration at a future meeting.

CASE 2: An intoxicated, verbally abusive female – described as being “of very large build” - has been arrested on suspicion of assaulting door staff and handcuffs applied; she is restrained against a wall. She is resisting arrest and has also assaulted the arresting officers. The footage shows her being taken to the floor and further restrained. A MegaMover is then used to carry her to the police vehicle. The Panel was divided in its views on this case, and scored the officers at **68%**.

- *Maybe try getting the subject to walk to the van a couple of times before resolving to use a MegaMover; use of gloves is spot on!*
- *More clarity needed – took some time to decide how they will deal with person*
- *The use of force equipment was necessary – I’m not sure kneeling on the subject’s wrist during the MegaMover was appropriate. Area where MegaMover was applied was very restricted, could have moved her to a bigger area*
- *Too many voices – maybe delegate 1 person to lead and talk*
- *The whole arrest looked very uncomfortable – was this the best option? She appeared to be face down throughout. The amount of PCs does look intimidating*
- *Difficult, as the person being arrested was non-cooperative and aggressive; however the arresting officers acted appropriately*
- *The officers conducted themselves professionally and with reasonable force; was impressive to see such patience*
- *Great team work – MegaMover, straps and cuffs all appropriate in the situation. Very hard for officers to see their colleagues being abused and attacked – well done for remaining as calm as they did*
- *Too many officers – none of the officers using calming communication; although there was constant communication between the officers no one checked or asked whether the subject was OK*
- *If one officer took lead on decision making, process may have been smoother with transition from floor to MegaMover. Officers continuously checked on suspect to ensure her welfare was OK. Communication was clear with suspect throughout*
- *There appears to be no way to reasonably calm her down – the officer in the hard hat and the one [filming] were very polite in an increasingly frustrating situation*

CASE 3: Two officers attend a domestic incident, taking more than hour in patiently negotiating the male party – in breach of bail conditions - out of the house. Once outside in the street, he continues to be verbally abusive towards the female party and is arrested on suspicion of public order offences. Patrolling officers attend to assist in gaining control of the suspect. Again, there were wide differences of opinion within the Panel, with individual scores ranging between 10% and 96%; the officers’ average score was **51%**.

- *I want to believe that the officers have spent considerable amount of time negotiating with the subject before the use of force to effect arrest*
- *Not clear why he was not invited into car*

- *Female officer could be a lot calmer in her communication which could have reduced the length/level of force required, particularly as the arrest was following a DV incident and he was angry at his female partner*
- *Female officer's language not appropriate – Adam was respectful in his communication and feel that if he was handling the situation on his own or with other officers, use of force may not have been necessary*
- *Officer was verbally rude; not needed – this just heightened the situation and emotions, making problems more likely*
- *Offered the offender no chance to calm down. Questions from the offender ignored – struggled to breathe – why strapped [when he had disclosed] nerve damage? Responded very quickly – hence the escalation of the offender; no use of other strategies attempted*
- *The police officer swearing didn't help – she appeared to know or know of him and tone was a bit aggressive*
- *The camera footage is not clear; unable to tell the degree of force used; the officers could have used empathetic approach. It was impressive how it all ended, the suspect was respectful at the end and co-operated with officers*
- *Easier said than done, but behaviour breeds behaviour – female officer aggressively swore, and this could have been avoided – although I accept we weren't there to deal with what the officers had to*
- *Female officer showing no empathy towards the subject, shouting constantly and quite aggressive. Male officer trying to be more understanding; tone of voice more calm. Officers not taking into account the subject's mental health issues, not listening to the subject*
- *Female officer aggravated the initial arrest by meeting his approach to them with hostility and aggressive language – her hostility to suspect continued throughout, again escalating the incident at times*
- *Male officer de-escalated the situation quickly by focussing on suspect's wellbeing and co-operating with suspect; he communicated calmly throughout incident*
- *Female officer was getting wound up by suspect – its completely understandable but as the authority figure, she should not be swearing at him. She doesn't appear to be listening to him and is arguing with him – this is escalating the situation*

CASE 4: Officers attend a suspected cannabis factory to execute a Misuse of Drugs Act warrant. A male attempts to flee from the rear of the property and is arrested. The Panel scored the officer at **79%**.

- *Very short clip – great stop though*
- *Use of force appropriate and controlled the situation quickly*
- *The offender didn't show any initial aggression*
- *Totally appropriate force used when dealing with a suspected "drug dealer" – where there are drugs, its more than common to find weapons – officer wouldn't know what weapons, if any, the suspect would have*
- *The officer gave clear instructions and kept the same level of tone throughout his communications*
- *Officer was clear and polite during arrest; got situation under control quickly and safely*
- *Even though he ran, there is the potential that [suspect] is a victim*

Discussion of cases scrutinized at March's meeting

CI Basham advised that all the cases had been scored in the band between praise (90 – 100%) and that requiring the officer to reflect on the incident with his or her supervisor (50 – 74%). However, he wanted to take the opportunity to discuss some of the issues which had emerged from Panel members' feedback.

Seatbelts: The suspect in Case 1 was being transported in the back of a police vehicle without a seatbelt. CI Basham advised that seatbelts should always be worn in the rear of police cars, and if it was impossible for a suspect to wear a seatbelt, then alternative transport – such as a cell van – should be used. CI Wakeman advised that an officer should have sat in the back of the car, placed the suspect in an arm lock, and used his or her body weight to wedge the suspect against the car window. Ultimately, it was a matter for the transporting officers to assess risk, both to themselves, the suspect, and the wider public.

ACTION: CI Basham to arrange for an Officer Safety Training instructor to review the footage and provide an expert opinion for the Panel.

Smoking: Some Panel members were concerned that the suspect in Case 2 had been allowed to smoke a cigarette whilst under arrest, as this could cause an increased risk to both him and the arresting officers. CI Basham acknowledged that it was not ideal, but officers were trained to assess risk dynamically; in this case, balancing the increased risk arising from burn injuries (or fire setting) against the reduced risk of resistance and flight due to the calming effect of a cigarette on a nicotine addict. He acknowledged that a passer-by, unaware of what led up to the suspect being allowed to smoke, would not be impressed at seeing a handcuffed person with a cigarette.

A wider discussion followed on the Panel's remit to foster trust within the community, its role in influencing officer training in the recognition of cultural mores within different communities, and in helping the Force to better understand the reasons behind historic mistrust of the police. It was suggested that training practices should consider the perspectives of offenders and victims; CI Basham advised that the Force was starting to introduce the voices of victims in some of its training programmes but not those of offenders.

Powers of care home staff to physically restrain residents: Case 3 had shown officers restraining a young person in emotional crisis whilst the staff at her care home stood back and watched. CI Basham advised that staff would have the power to restrain, provided they had completed the appropriate training, and based upon the type of facility or service user. One of the major challenges facing the care system was providing training to keep up with the turnover in staff. In practice, it was usually helpful to maintain a clear delineation between those giving care, and police officers dealing with an exceptional situation; this was especially important for users of mental health services.

In response to a question about restraining a violent dementia patient, CI Basham advised that officers were trained to treat everyone with respect, and to maintain their dignity as far as was commensurate with their safety. When someone was mentally or physically unwell, being taken to a police station was never the best solution (although in the last resort of a custody suite, detainees had access to healthcare professionals, and the Liaison & Diversion Service was often able to "fast track" access to mental health services). Before arresting a

person with mental health issues, or detaining someone under s136 of the Mental Health Act, police officers always consulted mental health professionals.

The Co-chairs thanked everyone for their participation, expressing their appreciation of the Panel members' commitment. CI Basham reminded the Panel that new members with fresh opinions were always welcome; he was especially keen to involve young people, and people with lived experience of interaction with the police.

KB

10-05-2024