



**Derbyshire Constabulary Independent Advisory Group**  
**Use of Force Scrutiny Meeting**  
**Date: 12th April 2024**

**Attendance Police**

*Inspector Charlotte Pigott - Police presenter (CP)*

*Heather Cunningham – Equality, Diversity and Inclusion Compliance Officer (HC)*

**Independent members**

*SP - Independent member*

*AS - Independent member*

*GR - Independent member*

*IA - Independent member*

*DD - Independent member*

*MD - Independent member*

*PD - Independent member*

*PW - Independent member*

*RP - Independent member*

*TC - Independent member*

*WH - Independent member*

*LN - Independent member*

**Welcome and Introductions**

This meeting of the panel was held via Microsoft Teams, but the facility was also there for Independent Advisory Group (IAG) members to attend Derbyshire Force Headquarters (FHQ) to attend in person if they so wished. Independent member LN was at FHQ with HC and Inspector CP who facilitated their involvement in the panel. HC welcomed all

independent members to the meeting and introduced Inspector CP. Independent members introduced themselves. HC reminded independent members about the confidentiality agreement. CP presented the cases and Body Worn Video (BWV). Cases for the panel were selected using two themes, incidents involving a DP from a black heritage background and officers having prior knowledge about the DP.

These minutes contain numerous abbreviations. A description of them is explained below.

**IAG** – Independent Advisory Group

**IM** – Independent Member

**FHQ** – Force Headquarters

**DP** - Detained person

**DV** – Domestic Violence

**BWV** – Body Worn Video

**1) Feedback from previous meeting**

Opportunity to discuss the previous meetings feedback. This can include actions taken by the Police to address any areas of concern or praise that have previously raised. No actions from previous meetings were discussed.

**2) Use of Police Powers Scrutiny – Use of force – general**

**Case 1:**

<b>Location</b>	Ripley, Amber Valley
<b>Subject</b>	Male 19 3. Black
<b>Type of force used</b>	Taser Drawn
<b>Impact Factors (from Use of force form)</b>	Prior Knowledge, Drugs
<b>Incident summary</b>	<p>Safer Neighbourhood Team officers received intelligence that 3 males had taken over a vulnerable female’s address and were selling drugs from there.</p> <p>Intelligence suggested 3 names of males from the Birmingham area who were known to have a number of warning markers.</p> <p>Officers attended the address and males flee, officers then give chase and locate male who discloses he is in possession of a knife.</p>
<b>Outcome (i.e. arrested)</b>	Arrested

<b>Body Worn Video (BWV)</b>	Yes, viewed by the panel.
<b>Panel Observations</b>	<p>Independent members (IM) commented on the calm, respectful conduct of the officers.</p> <p>An IM felt that based on the information officers had that the Use of Force was appropriate and that the tactical conduct was respectful.</p> <p>An IM raised a question around the Use of Taser as a Use of Force. Inspector CP explained that once a taser is withdrawn from the holster this is considered a Use of Force.</p>
<b>Panel Decision</b>	Appropriate Use of Force. BWV provided evidence of compliance.
<b>Actions taken by Police / feedback provided</b>	Feedback regarding the respectful and calm conduct to be shared with officers involved in the case.

#### Case 2:

<b>Location</b>	Ilkeston, Erewash
<b>Subject</b>	Male 23 3. Black
<b>Type of force used</b>	Taser Drawn
<b>Impact Factors (from Use of force form)</b>	Prior Knowledge, Possession of a weapon
<b>Incident summary</b>	<p>Reports of drug dealing in the area, male is known to officers and spotted by them in the street. He had current bail conditions not to be in the locality for drug related offences.</p> <p>Male known for County Lines drug dealing to local officers and has previous intelligence for forcing other people to deal drugs for him.</p> <p>When approached, male has tried to run off from police before being detained for a Stop Search under the Misuse of Drugs Act.</p> <p>Male has been known to conceal items on his person before.</p>

<b>Outcome (i.e. arrested)</b>	Other
<b>Body Worn Video (BWV)</b>	Yes, viewed by the panel.
<b>Panel Observations</b>	<p>Due to the retention timeframe of BWV, the panel viewed the BWV of the second officer attending the incident.</p> <p>An IM noted that the taser officer announced their presence. Inspector CP explained that often this can be enough to stop a DP fleeing the scene.</p> <p>An IM raised a question around the markers indicated in the report and how these lead to a need to use force. Inspector CP explained that prior knowledge of a DP can be useful for officers when conducting a risk assessment and how best to approach an incident to minimise risk to members of the public, the DP and officers. In this instance, the DP was known to conceal drugs and weapons.</p> <p>An IM asked whether the plain clothed officer had any protective uniform on and raised a concern based on the prior knowledge presented in the case report. Inspector CP confirmed that plain clothed officers wear a stab vest under their clothes and an adapted harness.</p>
<b>Panel Decision</b>	Appropriate Use of Force. BWV provided evidence of compliance.
<b>Actions taken by Police / feedback provided</b>	Feedback to be shared with officers involved.

### Case 3:

<b>Location</b>	Derby City, Derby
<b>Subject</b>	Male 36 3. Black
<b>Type of force used</b>	Handcuffing
<b>Impact Factors (from Use of force form)</b>	Prior Knowledge

<p><b>Incident summary</b></p>	<p>Report received in December that the male had assaulted female partner by swinging dog leads at her to hit her.</p> <p>Male made off prior to police arrival and was with 2 XL Bullies.</p> <p>Male was already showing as wanted for recall to prison.</p> <p>He had warning markers for violence.</p> <p>Male managed to evade police for nearly a month and was then located in January by this officer who was carrying out arrest attempts and a report of a disturbance at the address.</p>
<p><b>Outcome (i.e. arrested)</b></p>	<p>Arrested</p>
<p><b>Body Worn Video (BWV)</b></p>	<p>Yes, viewed by the panel.</p>
<p><b>Panel Observations</b></p>	<p>An IM raised a concern around the consistency of handcuffing, and that in this incident the BWV showed officers handcuffing the DP to the front.</p> <p>IMs agreed that the officer had a very calm approach and a good rapport with the DP which they believed helped keep the incident calm and the DP cooperative.</p> <p>An IM raised a concern regarding the officer's safety and suggested that they could have turned on the main room light in the first instance rather than using their torch because the officer did not notice the DP in the room straight away when conducting a search using their torch.</p> <p>An IM felt that the officer handled the incident very well.</p>
<p><b>Panel Decision</b></p>	<p>Appropriate Use of Force. BWV provided evidence of compliance.</p>
<p><b>Actions taken by Police / feedback provided</b></p>	<p>Feedback to be shared with the officer involved with this case and with the Operation Training Team leader.</p>

**Case 4:**

<b>Location</b>	Derby City, Derby
<b>Subject</b>	Male 36 3. Black/Mixed or Multiple Ethnic Groups
<b>Type of force used</b>	Handcuffing
<b>Impact Factors (from Use of force form)</b>	Prior Knowledge, Size/Gender/Build, Alcohol, Drugs
<b>Incident summary</b>	<p>Ex partner reports that male keeps turning up at her address and has contacted her to say that he was in her property. Female is at high risk of domestic violence from this male and he has assaulted her numerous times in the past.</p> <p>Male is known to police and has warning markers for: firearms, mental health problems, concealing items, breaching bail conditions and drugs.</p> <p>At the time of the incident, the male had bail conditions not to enter Derbyshire in relation to threatening to kill another female partner and burn her.</p>
<b>Outcome (i.e. arrested)</b>	Arrested
<b>Body Worn Video (BWV)</b>	Yes, viewed by the panel.
<b>Panel Observations</b>	<p>An IM asked why the DP was not in prison considering prior knowledge included in the case report and previous charges.</p> <p>Inspector CP explained that the police investigate criminal offences, but it is the courts that determine the sentence.</p> <p>IMs felt that there was a delay between explaining the reasons for arrest and that the officers present could have been more forceful in removing the DP from the property by not engaging in conversation.</p> <p>An IM raised a concern around arresting the DP in the kitchen and felt that officers handled the incident as best as they could.</p> <p>An IM raised a question around why the DP was not arrested for a breach of bail</p>

	<p>conditions. Inspector CP explained that officers arrested the DP for a substantive offense and provides officers the powers to remove the DP from the property.</p> <p>An IM commented that they felt the officers worked well together to deescalate the situation.</p> <p>An IM asked why more officers were not deployed to the incident considering the prior knowledge the police have about the DP. Inspector CP explained that two officers attended the incident because they were available at the time the incident was reported to the police. The number of officers attending an incident is dependent on capacity and time.</p>
<b>Panel Decision</b>	Appropriate Use of Force. BWV provided evidence of compliance.
<b>Actions taken by Police / feedback provided</b>	<p>An IM commented on the good attempt of officers to deescalate the situation.</p> <p>An IM raised a concern with the officer naming the victim to the DP when explaining the reason for their visit to the property. Inspector CP agreed that this could create a safeguarding risk for the victim and would share this learning with the officers involved.</p> <p>An IM commented on the good technique and officer used to monitor the DP initially. The officer had his hand gently on the DP's shoulder. Inspector CP explained that this may have been a way to subtly know whether the DP was at risk of fleeing the incident.</p> <p>Feedback to be shared with the officers involved with this case.</p>

**Case 5:**

<b>Location</b>	Derby City, Derby
<b>Subject</b>	<p>Male</p> <p>25</p> <p>3. Black/Black, Black British, Caribbean or African</p>

<b>Type of force used</b>	Handcuffing
<b>Impact Factors (from Use of force form)</b>	Prior Knowledge
<b>Incident summary</b>	<p>Emergency recall received from Probation to urgently arrest this male.</p> <p>Incident reports: POTENTIAL ARREST/RISK ISSUES: Presents a very high risk of serious harm to police and prison staff including risk of violent and threatening behaviour. Also presents a sexual threat towards female staff.</p> <p>Male is to be returned to prison for breaching his licence conditions.</p>
<b>Outcome (i.e. arrested)</b>	Arrested
<b>Body Worn Video (BWV)</b>	Yes, viewed by the panel.
<b>Panel Observations</b>	<p>An IM commented on the connotations of handcuffing for particular community groups, handcuffing can be a sign that you're guilty. The DP was non-aggressive, co-operated with the officer and appeared to know the procedure. Inspector CP explained that it is policing practice that officers handcuff suspects and that in this incident, due to the prior knowledge about the DP officers used handcuffs as a Use of Force to ensure the safety of the people in the room.</p> <p>An IM felt that the officers demonstrated a good rapport with the DP.</p>
<b>Panel Decision</b>	Appropriate Use of Force. BWV provided evidence of compliance.
<b>Actions taken by Police / feedback provided</b>	<p>An IM felt that the BWV showed the officer to demonstrate great conduct and a good example of how to deescalate a potentially explosive situation.</p> <p>IMs felt that the officer had excellent communication with DP in this instance.</p> <p>Feedback to be shared with the officer involved with this case.</p>

**Case 6:**



<b>Location</b>	Derby City, Derby
<b>Subject</b>	Male 28 3. Black/Black, Black British, Caribbean or African
<b>Type of force used</b>	Handcuffing
<b>Impact Factors (from Use of force form)</b>	Prior Knowledge, Drugs
<b>Incident summary</b>	<p>Subject has been seen by local PCSO, having just visited around 10 minutes prior to stop search, a house where there is recent intelligence in the last 2 weeks Linking that location to drugs. Visit observed to be short.</p> <p>As marked Police vehicle signals vehicle being driven by subject to stop, subject vehicle takes a minute or so to stop, not doing so immediately. Subject alights vehicle immediately to speak to officers, as if trying to direct attention away from vehicle itself.</p> <p>The vehicle comes back to the subject who has warning markers for: firearms and weapons and suggestions he is part of an organized crime group involving drugs.</p>
<b>Outcome (i.e. arrested)</b>	Other
<b>Body Worn Video (BWV)</b>	Yes, viewed by the panel.
<b>Panel Observations</b>	<p>An IM raised concerns around the connotations of handcuffing for particular community groups, handcuffing can be a sign that you're guilty and that in this instance, the Stop Search conducted did not result in any illegal property on the DP.</p> <p>An IM questioned why one of the officers handcuffed the DP to the rear and the BWV showed a second officer handcuffing another DP to the front. Inspector CP explained that it is policing practice to in most instances handcuff to the rear and this is what student officers, and serving officers are taught in training and that it is likely a habit of the officer. Feedback to be shared with the officers involved.</p>

	<p>An IM raised a concern with how the difference in handcuffing could be perceived by the DP and the public because of the different ethnicities of the DPs.</p> <p>An IM commented on the calm non-confrontational approach of the officer who provided a clear explanation for the Use of Force and the Stop Search. An IM commented that due to the prior knowledge, this Use of Force in their opinion was needed.</p>
<b>Panel Decision</b>	Appropriate Use of Force. BWV provided evidence of compliance.
<b>Actions taken by Police / feedback provided</b>	Feedback to be shared with the officers involved and the Operation Training Team leader.

**Case 7:**

<b>Location</b>	Derby City, Derby
<b>Subject</b>	Male 23 3. Black/Black, Black British, Caribbean or African
<b>Type of force used</b>	Handcuffing
<b>Impact Factors (from Use of force form)</b>	Prior Knowledge
<b>Incident summary</b>	<p>Police receive the following report:</p> <p>“MY EX PARTNER HAS TAKEN BOTH MY CHILDREN, HE HAS ATTACKED ME AND HIT ME AND TOOK THE CHILDREN. HE WILL BE ON FOOT ON I THINK. HE IS A BLACK MALE WITH DREADLOCKS AND HE HAS TAKEN MY DOUBLE PUSHCHAIR WITH BOTH KIDS IN IT (1 and 7yrs). HE DOESNT DRIVE. HE LIVES IN LONDON. HE WOULD HAVE GOT A TAXI.</p> <p>Further information is received that the male has tried to set fire to the victim’s house with her in it before, he has assaulted her whilst pregnant and should not see the children.</p> <p>Further emergency call is then received to</p>

	report that the male is back at the victim's property with the children.
<b>Outcome (i.e. arrested)</b>	Arrested
<b>Body Worn Video (BWV)</b>	Yes, viewed by the panel.
<b>Panel Observations</b>	<p>An IM commented on the swift action of the officer involved in the incident.</p> <p>An IM felt that the officers were very polite and that they handled the incident with a calm approach.</p> <p>IMs agreed that based on the prior knowledge and the report to the police that the Use of Force was appropriate in this instance.</p>
<b>Panel Decision</b>	Appropriate Use of Force. BWV provided evidence of compliance.
<b>Actions taken by Police / feedback provided</b>	Feedback to be shared with the officers involved with this case.

**Further actions:**

HC to share a link to the National Race Action Plan with Independent Members.

**Date of next meeting:**

As listed on the Community scrutiny panels webpage (Derbyshire Police) – this is however subject to change, please check with Heather Cunningham by calling 101.