Derbyshire Constabulary Independent Advisory Group

Use of Force Custody Scrutiny Meeting

Date: Friday 16th October 2026

Attendance Police

Inspector Daniel Potts – Custody Manager, Police Presenter (DPo)
Police Constable Ollie Bates – Operations Training Team (OB)
Heather Cunningham – Equality, Diversity, and Inclusion Compliance Officer (HC)
Phoebe Stott - OPCC Caseworker and Volunteer Coordinator (PS)
Sergeant Callum Bates – police observer (CB)

Independent members

KH - Independent member

DD – Independent member

FK – Independent member

AT – Independent member

TC – Independent member

Apologies

BC – Independent member

SP – Independent member

PH – Independent member

Welcome and Introductions

This meeting of the panel was held in person at Force Headquarters. The vice chair TC welcomed all independent members (IM) to the meeting and reminded IMs that they had signed a confidentiality agreement and the purpose of the scrutiny panel meeting. The vice chair reminded members to be respectful of each other's opinions.

Inspector DPo explained that at the last Policing Power governance meeting it had been requested that the panel review cases involving subjects who have self-identified as Black Heritage.

Inspector DPo provided an overview of the statistics relating to use of force in custody and the number of detainees in custody from 01/04/2026 to 30/09/2026. Inspector DPo explained that more use of force is recorded in Derby Custody, but that there are more detainees in Derby Custody than Ripley Custody. Inspector DPo explained that there is a disparity between the sex of detainees within custody and the use of force via sex. Inspector DPo explained that handcuffs are the most frequently used use of force within custody, followed by open hand techniques and ground restraints. Inspector DPo explained that use of force covers a range of different levels of force. There has been no use of force involving a firearm, baton or taser in Custody in 2026.

The same methodology as to how the cases were presented was employed with a case overview being presented by Inspector DPo followed by an explanation to the initial attendance and arrest to provide context of what had occurred prior to the arrival at the custody suite.

Custody suite Closed-Circuit Television (CCTV) was then shown to the panel to show what force had been used, followed by a discussion with the views and comments of independent members welcomed. Focus was on proportionality and reasonableness of the force used, including the legal basis for the use of force(s). Police Constable OB provided comments and context around the techniques and if they were what had been trained.

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

CCTV – closed-circuit television

CED - Conducted Energy Device

CDO – Custody Detention Officer

DP – Detained Person

FHQ – Force Headquarters

HCP - Health Care Professional

IAG – Independent Advisory Group

IM – Independent Member

IP - Independent Party

MDT – Mobile Data Terminal

PCSO – Police Community Support Officer

PNC – National Police Community

PPST - Personal and Public Safety training

PWITS – Possession with intent to supply

WS – Warning signs

1) Feedback from previous meeting

No comments were raised by the panel.

2) Questions from the independent members before reviewing cases

An IM asked where persons who are arrested in South Derbyshire go. Inspector DPo explained that subjects arrested in South Derbyshire would be taken to Derby Custody.

3) Use of Police Powers Scrutiny – Use of force – Custody

Case 1:

Location	Derby Custody
Subject	Male B2 – Black African including Black British 36 years old
Type of force used (in custody)	Spit hood, handcuffs and open hand techniques
Incident summary	Initial arrest: Detainee arrested in August 2026 after being witnessed being verbally abusive and threatening toward Police Community Support Officers (PCSOs). Detained person

	(DP) arrested for drunk and disorderly and public order. Following a search, DP was found in possession of a Stanley knife, and has further been arrested on suspicion of possessing an offensive weapon in a public place. Whilst in the van dock, the DP has been racially abusive, and misogynistic. DP was further arrested for suspicion of racially aggravated public order and S.4B [section 4B] Public Order Act. Use of force prior to entering custody: handcuffs, open hand techniques, spit hood. <u>Risk assessment:</u> • Health and wellbeing – anxiety and depression, low risk. • Risk to self – stated tried to self harm a few month ago and has current thoughts, low risk. • Risk to others – sexually inappropriate towards female officer, racist comments • The DP is heavily intoxicated. <u>Care plan:</u> level 2 30 minute observations, following further assessment was placed on level 1 60 minutes observations. <u>Techniques used:</u> spit hood, handcuffs, open hand techniques <u>Reason for use of force:</u> The DP has been presented at custody and is verbally abusive. The DP was aggressive and making racist comments towards officers and made threats to officers stating that he would "have" one of them. The DP would not listen to officers and had to be taken to the floor during the booking in process, the DP has warning markers for spitting at custody officer's and given his behaviour and attitude

	towards officers, force used past point of detention authorisation to protect all officers from harming and physical contact from the DP.
Outcome (i.e. arrested/ Detained)	Arrested, charged and remanded for public order, 2 x racially aggravated public order, fail to comply with sex offenders register, breach sexual harm order, possess a bladed article in a public place and sexual related public order.
Panel Observations	An IM commented that the custody booking in process appeared from the CCTV footage to be taking a considerable time. Inspector DPo explained that the custody booking in process is lengthy as it captures detainee details, risk assessments, details about the detainee's health and mental health. IMs requested to move forward with the footage. Inspector DPo explained that the DP was verbally abusive to officers throughout the booking in process. An IM commented that the female officer did not deserve to have received the verbal abuse from the detainee. And noted that a second officer patted the female on the back and questioned this action. Inspector DPo explained that the second officer was the officer's sergeant offering to step in and take over, and the female officer may have decided not to back down to demonstrate to the DP that she would not be defeated. An IM noted that the female officer was not wearing gloves and noted that this could have had an impact on the officer's safety. An IM asked if the DP has been arrested before. From watching the CCTV clip, an IM expressed that they felt it was unfair for the

	female officer to be subject to the verbal abuse. Inspector DPo explained that part of the job is to ensure that the DP has been booked in and that the risk assessment has been carried out as officers have a duty of care for detainees in their care. An IM questioned if it is possible for a senior officer to have instructed the female officer to swap out with a male officer. Police Constable OB explained that the priority is conducting the risk assessment and booking in process, because if an detainee is taking to a cell and the booking process is skipped, two officers have to observe the detainee as part of an observation because the risk assessment has not be completed and the risk is unknown. An IM asked if Police Community Support Officers (PCSOs) have the same powers as a police officer. Inspector DPo explained that PCSOs do not have powers of arrest. An IM commented that it was their opinion that the use of force was justified. Sergeant CB explained that that there were female detention officers in the custody suite during the booking in process and noted that the verbal abuse may not have been directed just towards the female officer. Sergeant CB explained that female officers may have stood their ground when experiencing verbal abuse, to demonstrate that the detainee 'had not won.' HC explained that there is a national project to challenge hate crime and assaults on operational police officers and staff. HC explained that the force has a local strategy

	and policy to address the hate crimes and physical assaults that frontline officers and staff experience, to promote a no tolerance approach, and ensure that there is care and support for all staff and officers who experience an offence under Operation Hampshire. Police Constable OB explained that the threshold for police officers and staff who experience a hate crime on duty is different to a member of public under the legislation. Police Constable OB explained that this often means that legislatively that frontline staff and officers are expected to endure assault and verbal assault.
Panel Decision	Consensus from the panel that the use of force used in the custody environment in their opinion was appropriate. The CCTV footage shown gave evidence of compliance, and the IMs noted no concern with the justification provided.
Actions taken by Police/ feedback	IMs did note a frustration with how the female officer was verbally abused by the detainee and expressed the view that the female officer should have been removed from the situation for her wellbeing. This has been noted, and will be provided as feedback. Feedback to be shared with Policing Powers Leads. Feedback to be shared with the officers and CDOs involved.

Case 2:

Location	Derby Custody
Subject	Male B2 – Black African including Black British 58 years old
Type of force used (in custody)	Pressure points, having to drag DP to cell as he refused to walk.
Incident summary	Initial incident: PCSO (Police Community Support Officer) have seen DP on the floor at the railway station. Have approached him and to see if he is ok. DP has sat up and grabbed PCSO in the groin area causing pain and discomfort. DP arrested for assault. Use of force prior to entering custody: handcuffed to the rear. Risk assessment: • Risk assessment not completed due to being heavily intoxicated – HCP [health care professional] was called. • Health and wellbeing: unknown due to being unable to understand. Risk: Medium • Risk to self: unknown due to being unable to understand. Risk: Medium • Risk to others: heavily intoxicated. Risk: Medium Care plan: initial level 2 30 minute observations, later changed to level 1 60 minute observations. Techniques used: pressure points, having to drag DP to cell as he refused to walk. Reason for use of force: taking DP to cell and searching in cell. Pressure points used to ensure that the DP was conscious.

Outcome (i.e. arrested/ Detained)	Arrested, community resolution – assault emergency worker.
Panel Observations	An IM asked the sex of the PCSO, Inspector DPo confirmed that the PCSO was male. Inspector DPo explained that the incident was dealt with through restorative justice. An IM stated that they felt the use of force was appropriate for the situation. An IM noted from viewing the CCTV footage that the DP having their chin on the edge of the booking in desk may have been a questionable decision with the DP being intoxicated. Had the DP slipped they could have injured themselves. An IM noted that the use of force was required because the DP was intoxicated and could have fallen over. Inspector DPo explained that a Sergeant made a decision to take the DP to the cell due to the level of intoxication and because the DP was not able to complete the booking in process, and was seen by a Health Care Professional (HCP). Inspector DPo explained that if the booking in process cannot be completed for a detainee and officer would look at previous booking in records to identify if there are any risk markers from previous detentions. An IM asked how many cells the force has. Inspector DPo explained that Ripley has on average 14 cells, Derby has 40 cells and Chesterfield which is currently being built will have 36 cells. Police Constable OB explained that an exemption for a use of force can be stopping a detainee from falling over, and noted that

	it is the officer who has to justify the use of force. Police Constable OB did note that PCSOs do not have the same powers as a police officer. An IM noted that the CCTV captured the officer not wearing gloves. An IM noted that the appearance of intoxication could have been a health issue or there could have been another explanation. But noted that the prior information would have been useful in managing the risk assessment.
Panel Decision	Consensus from the IMs that the use of force observed was appropriate. CCTV gave evidence of compliance.
Actions taken by Police/ feedback	Feedback to be shared with the policing powers leads. Feedback to be shared with the officers and CDOs involved.

Case 3:

Location	Derby Custody
Subject	Male M1 – Mixed White & Black Caribbean 18 years old
Type of force used (in custody)	Self defence, restraints, cell extraction
Incident summary	Initial incident: Bladed article and PWITS (possession with intent to supply) class A – call from public to [residential street] Ilkeston regarding a male matching the description of the DP described as having a weapon down his trousers. Officer attends and he runs and is caught. A large knife found in a sheath was down his waistband and a large quantity of suspected class A was located in his bag. Force used prior to entering custody: handcuffed rear stack. Risk assessment: • Health and well being – left thumb damaged and bandaged from fall, controlled asthma • Risk to self – no issues • Risk to others – no issues Care plan: level 1 60 minute observations, no change. Techniques used: Self defence, restraint and cell extraction Reason for use of force: 1214 hrs – 'refused a book as he has been throwing wet toilet tissue at the camera. Thrown water at the camera, has been standing on the pillow to force it down the toilet' 12:33 hrs – 'The DP has been seen on camera stacking up his mattress and against the

	door and holding up his pillow against the camera to prevent anyone from seeing in his cell. So we went in to the cell and removed everything to prevent him from covering the hatch spyhole or camera ' Post the lasted update from the CDO, DP was seen on camera using his jacket to hit the camera, it appeared that he was aiming his zipper towards the camera then hitting it. CDO A noticed something drop from the camera area, at this time is was unsure what this item was, therefore Sgt A made the decision to enter the cell with CDO A and CDO B to retrieve his coat, check for any damage and to ensure no further damage was caused. Sgt A opened the door, entered and asked the DP for his jacket. DP grabbed his jacket and would not pass it over when asked to do so. DP walked back to the rear wall then put the coat behind him, Sgt A went to grab the jacket but then DP moved further away, Sgt A grabbed DP left hand with CDO A grabbing his left to retrieve the coat which was successful. As we left the cell DP has gone towards the cell door towards CDO A, who then pushed the DP away however DP went for CDO A, grabbed him therefore use of force had to be used to prevent any further harm to any other person. Sgt A, CDO A and Sgt B took the DP to the ground, along with the aid of CDO B and CDO C. Once DP controlled, to prevent further harm Sgt B took control for a cell extraction – all persons left then Sgt B left last leaving the DP face down. Cell door closed.
Outcome (i.e. arrested/ Detained)	Arrested, charge assault emergency worker, bail Possession with Intent to Supply and possession of an offensive weapon.

Panel Observations	Inspector DPo explained that the use of force took place quite some time into the DP's stay in custody. An IM asked whether the DP has been thoroughly searched prior to entering custody. Inspector DPo explained that there have been instances where during a search in custody items have been found on DPs highlighting that the searches conducted prior to or as a result of an arrest have not been thorough enough. This has the potential to cause serious risk to officer, staff and detainee safety in custody. An IM commented that the officers were very nonchalant towards the DP in custody and on the CCTV footage could be seen on their mobile devices rather than observing the DP. Inspector DPo highlighted that he has raised this with officers' numerous times about officers not using their Mobile Data Terminal (MDT) whilst in custody. Police Constable OB commented that the training the team provide all officers for searches is that the role of one of the officer's is to carry out the search of the detained person, and the role of the second officer is to observe the search as a safety measure. An IM asked whether the detainee has to be booked in before another search can take place. Inspector DPo explained that a sergeant has to authorise a search and this is powers under Section 54 for searching in custody. An IM asked if a HCP would be called if a

	bandage needed to be removed during a search. Inspector DPo answered that they would, and that a decision would be made as to whether a cast or bandage should be removed, or if this can be managed with a constant observation. An IM asked why on the CCTV footage that a football could be seen in the DPs cell. Inspector DPo explained that there are a number of items within custody that can be used for distraction or can assist a detainee who is neurodivergent. Police Constable OB highlighted that within custody the water can be turned off for cells in order to prevent floods. Inspector DPo explained that the danger with the DP putting the mattress to the cell door is that officers cannot see into the cell. The result of this was for the mattress and other items to be removed from the cell. An IM asked if there were any rules about behaviour for detainees in cells. Inspector DPo explained that detainees are given rules, and informed that they will be charged for any damage to the cells. But this does not mean that detainees will follow rules or not damage cells. The IM noted it was their opinion that the detainee was misbehaving for attention. Inspector DPo noted that there cannot be any written law for behaviour, and that officers can only charge for offences within the custody suite. An IM commented from viewing the CCTV that it was their opinion the CDOs were a bit quick to turn their back on the DP initially,

	which led to the takedown in the cell. An IM noted that from viewing the CCTV footage during the take down an officer appeared to have their knee on the DPs back. Police Constable OB explained that officers are trained to either have their leg on the back of the DPs leg or their hips. Police Constable OB explained that there are two cell extraction techniques. Officers are trained to take down, which includes an officer getting control of the detainee's legs, another officer restraining the detainee's arms, and another officer should take control of the head to monitor airways. Police Constable OB explained that the floor is the safest place and noted that by holding the DPs arms behind him, that this prevents the DP from getting up. Police Constable OB noted that it was almost a textbook extraction. Police Constable OB noted that he would have advised the CDO to use incapacitant spray as this is a lower level of force and may have been a more effective approach to removing the detainee's jacket from the cell.
Panel Decision	Consensus from the panel that the use of force reviewed was appropriate. CCTV gave evidence of compliance.
Actions taken by Police/ feedback	Feedback to be shared with the policing powers leads. Feedback to be shared with the officers and CDOs involved. Note: request from IMs to review a case involving irritant spray.

Case 4:

Location	Derby Custody
Subject	Male B2 – Black African including Black British 36 years old
Type of force used (in custody)	Cuffs remained on during booking in, restrained during search. Escorted to cell.
Incident summary	Initial arrest: Stalking. Attended victims home address allegedly on 6 occasions for unknown reasons, tried the door handle and pressed door bell and said hello through the door. On arrest DP has allegedly assaulted ew x 4. Allegedly bitten officer to hand, kicked 2 officers and scratched a further officer to the head. Force used prior to entering custody: CED [Conducted Energy Device – taser], handcuffs, incapacitant spray, prone restraint, unarmed skills, other. Risk assessment: • Health and wellbeing cuts to face sustained day before arrest from assault, feels concussed. Memory problems. Been in hospital following this. Psychosis, anxiety and depression. Tasered on arrest. L4 until seen by HCP [health care professional]. • Risk to self – having SH [self harm] thoughts, cords and laces removed. • Risk to others – violent on arrest and past markers for violence. Calmer when booked in. Care plan: initial level 4 constant observations, then level 2 30 minutes observations, reduced to level 1 30 minute observations.

	Techniques used: Cuffs remained on during booking in, restrained during search. Escorted to cell. Reason for use of force: Violence on arrest. Impact factors (DP's build and strength). Not fully engaged with booking in and argumentative. Past markers for violence on PNC [National Police Computer].
Outcome (i.e. arrested/ Detained)	Arrested, charge and remanded for harassment and 3x assault constable.
Panel Observations	An IM commented they felt from reviewing the CCTV footage that they felt the use of force was okay. An IM noted from the CCTV footage that the DP appeared to have marks from the handcuffs. Inspector DPo explained that the detainee may have been moving his hands and arms whilst handcuffed. Officers are trained in applying handcuffs and ensuring that the handcuffs are not too tight. An IM asked how the force checked the detainee's medical history. Inspector DPo explained that the force does not have access to detainee's mental records but that the HCP based within custody can access NHS records with the consent of the detainee. Inspector DPo explained that a routine question about medical history is asked during the booking in process, and this is where the force would capture any information about medication that the DP discloses. An IM noted that asylum seekers may not have the understanding of the behaviour and laws expected in this country. Inspector DPo explained that the Safer Neighbourhood teams do a lot of work with refugee forums and designated refugees homes to engage and provide information and reassurance.

	The IM commented that they felt that the incident was handled well. An IM highlighted that there could be risks on the other side where the refugees and asylum seekers could become victims through the current political momentum.
Panel Decision	Consensus from the panel that the use of force used was appropriate. CCTV gave evidence of compliance.
Actions taken by Police/ feedback	Feedback to be shared with the policing powers leads. Feedback to be shared with the officers and CDOs involved.

Case 5:

Location	Derby custody
Subject	Male B2 – Black African, including Black British 20 years old
Type of force used (in custody)	Open hand techniques
Incident summary	Initial incident: Incident reported by a school – male acting suspicious, jumping around the grounds – scaring children Area search – male was stopped nearby Matched the description of a male seen entering xxxxxxx in derby Entered insecure front door between 1045-1050. Arrested on suspicion of burglary dwelling. Force used prior to entering custody: Handcuffed to the rear. Risk assessment: • Health and wellbeing: stated no injuries, or illnesses or medication • DP appears drowsy • Not engaging – appears distant • Risk to self: stated that he has never tried to kill himself. • Shrugged shoulders when asked if he would be able to keep himself safe here. • No WS [warning signs] on PNC [National Police Computer] • No trace PNC [National Police Computer] Risk to others: Compliant – subdued Care plan: Initial level 2 30 minute observations, reduced to level 1 30 minute observations.

	Techniques used: Open hand technique. Reason for use of force: At 0043hrs whilst serving VIPER paperwork on DP, he got up and walked towards the interpreter and I, as if to go between us. I believe in an attempt to leave the cell. I told him to sit back down which he ignored so I gave him a push to the chest using my right hand to prevent him from leaving the cell and/or causing any issues for the interpreter or myself whilst reading the paperwork. He did sit back on the bed but made some vague threats which the interpreter translated as "push me again and see what happens". I continued to serve the VIPER paperwork without further issue.
Outcome (i.e. arrested/ Detained)	Arrested, charge & remanded – 2x burglary, 1 x attempt burglary, going equipped for burglary & cause nuisance/disturbance on school premises.
Panel Observations	Note, due to time constraints the IMs viewed the use of force as captured on CCTV and not the booking in process for context. An IM commented that they felt the use of force viewed on the CCTV was appropriate. Consensus from all IMs that there was no issue with the use of force viewed.
Panel Decision	Consensus from the IMs that the use of force was appropriate. CCTV gave evidence of compliance.
Actions taken by Police/ feedback	Feedback to be shared with the policing powers leads. Feedback to be shared with the officer and CDOs involved.

Actions:

- Inspector DPo to select a case involving irritant spray for the next scrutiny panel in March 2027 if available.

- Inspector DPo to share feedback with officers, CDOs and supervisors.

- Escalation of use of MDT in custody, and the risk this causes for officer safety.
- HC to provide update to policing powers lead and provide feedback on thematic cases at the next policing powers governance meeting.

Date of next meeting:

2027 - TBC