



Derbyshire Constabulary Independent Advisory Group
Use of Force Scrutiny Meeting
Date: 11th July 2024

Attendance Police

Inspector Charlotte Pigott - Police presenter (CP)

Police Constable Gemma Roberts – Operational Trainer (GR)

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

Independent members

AS - Independent member

JM - Independent member

RT - Independent member

GRI - Independent member

SP - Independent member

DR - Independent member

PD - 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) in person if they so wished. SP welcomed all independent members to the meeting. Independent members introduced themselves. SP reminded independent members about



the confidentiality agreement they have signed.

CP presented the cases and Body Worn Video (BWV) and Police Constable GR provided insight into the Use of Force police procedures. The cases for this scrutiny panel meeting focused on Use of Force incidents involving people who self-identified as Black or Asian heritage and the following impact factors, size, gender* and build. *Sex is currently captured as gender on force systems.

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

IAG – Independent Advisory Group

FHQ – Force Headquarters

GOWISELY – An acronym used by officers when conducting a Stop Search: **G**rounds, **O**bject, **W**arrant card, **I**dentify, **S**tation, **E**ntitlement, **L**egal, **Y**ou.

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.

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

Case 1:

Location	Ripley, Amber Valley
Subject	Male 42 3. Black
Type of force used	Handcuffing
Impact Factors (from Use of force form)	Size/Gender/Build, Alcohol



Incident summary	<p>Traffic officer follows a car that appears to be driving unsteady and weaving between lanes. The vehicle heads on to the A38 whereby it then exceeds speeds of 100mph.</p> <p>Vehicle is stopped by officer and the driver is seen to be eating from a chip shop tray on the passenger seat.</p>
Outcome (i.e. arrested)	Arrested
Body Worn Video	Yes, viewed by the panel.
Panel Observations	<p>An IM felt that the officer was very polite and friendly.</p> <p>An IM asked what is considered as use of force. Inspector CP explained the different levels of use of force, and that handcuffing is considered a use of force and is recorded by officers.</p> <p>Police Constable GR explained that the handcuffing technique the panel viewed in the BWV is a complaint handcuffing technique and is appropriate in the situation because the officer was alone with the DP in the car.</p> <p>Police Constable GR explained that the practice taught to officer is rear handcuffing because there have been incidents where DP have undone their seatbelt and attempted to flee or have put their hands over the seat to assault officers.</p> <p>An IM commented that the officer had explained the reason for using the handcuffs to the DP. An IM felt that this was very calming.</p> <p>An IM felt that the situation was handled very well and avoided conflict.</p> <p>Inspector CP explained how the use of force incidents are selected for use of force scrutiny panel meetings and reiterated that the incidents the panel were viewing in the</p>



	meeting focused on individuals who self-defined as Black or Asian heritage and who had the size, gender* and or build impact factors recorded on the use of force form.
Panel Decision	The panel felt that the officer dealt with the incident well and that the use of force was proportionate. BWV gave evidence of compliance.
Actions taken by Police / feedback provided	Feedback to be shared with the officer and their line manager including around best practice of handcuffing to the rear.

Case 2:

Location	Long Eaton, Derbyshire
Subject	Male 47 3. Black
Type of force used	Handcuffing
Impact Factors (from Use of force form)	Size/Gender/Build
Incident summary	Officers were on mobile patrol in plain clothes and have seen the male run from a Sainsbury's store with a full shopping basket in his hand. Officers stop the vehicle and detain the male.
Outcome (i.e. arrested)	Arrested
Body Worn Video	Yes, viewed by the panel.
Panel Observations	An IM asked who an individual the panel viewed in the BWV was and why they were present at the incident. Inspector CP explained that there were two plain clothed officers present at the incident. An IM commented that the officer handcuffed the DP to the rear in the stacked position.



	<p>An IM commented that in their opinion the officer was very polite.</p> <p>An IM asked as to whether the officer should have carried out GOWISELY. Police Constable GR explained that GOWISELY is conducted for Stop Searches under a different policing power.</p> <p>Inspector CP explained that the officer was confident in this incident that they could safely conduct the search under Section 32 of the Police and Criminal Evidence Act 1984 whilst the second officer returned to the shop.</p> <p>An IM felt that the DP was compliant and that the officer was very polite and build up a good rapport with the DP.</p>
Panel Decision	<p>The panel felt that the officer dealt with the incident well and that the use of force was proportionate.</p> <p>BWV gave evidence of compliance.</p>
Actions taken by Police / feedback provided	<p>Feedback to be shared with the officer and their line manager.</p>

Case 3:

Location	Ilkeston, Derbyshire
Subject	Male 51 3. Black
Type of force used	Handcuffing
Impact Factors (from Use of force form)	Size/Gender/Build



<p>Incident summary</p>	<p>Officers are called to an emergency report of a pub fight ongoing. Incident reports "IT'S GETTING NASTY, 3 INVOLVED".</p> <p>Officers attend the pub and the involved parties have left prior to their arrival but their names are provided.</p> <p>Intelligence work is carried out and officers make arrest attempts.</p>
<p>Outcome (i.e. arrested)</p>	<p>Arrested</p>
<p>Body Worn Video</p>	<p>Yes, viewed by the panel.</p>
<p>Panel Observations</p>	<p>An IM asked whether the officers present should have offered for the DP to put clothes on before putting on handcuffs.</p> <p>Police Constable GR explained that the priority at an incident is to ensure that everyone is safe. Inspector CP explained that due to the nature of the offence, a very serious Domestic Violence (DV) incident that it was appropriate for the officers to handcuff the DP and then follow the arrest process.</p> <p>An IM asked that due to the size and build of the DP whether the handcuffs were big enough. Inspector CP explained that the officer initially handcuffing the DP encountered an issue with the handcuffs getting caught on the DP's watch and that the handcuffs can be adjusted depending on the size of an individual's wrists.</p> <p>Police Constable GR explained that handcuffs should sit where people usually wear their watch which is why in this instance the officer experienced difficulty with the handcuffs catching on the chain of the watch.</p> <p>An IM felt that due to the number of officers present at the incident it took a considerably long time for officers to accurately handcuff</p>



	<p>the DP. An IM asked why more experienced officers presented did not assist their colleagues.</p> <p>An IM felt that the handcuffing was insufficient and that the officers were lucky in this instance that the situation did not escalate.</p> <p>An IM commented on the consideration the officer took to remove the DP's watch to prevent damage to the watch and the DP.</p>
Panel Decision	<p>The panel agreed that the use of force was proportionate but felt that it took too long for the officers present to put handcuffs on the DP and that this put the officers at risk.</p> <p>BWV gave evidence of compliance.</p>
Actions taken by Police / feedback provided	<p>Feedback around handcuffing to be shared with the officers and their line managers.</p>

Case 4:

Location	Derby City, Derbyshire
Subject	Not recorded 45 3. Black
Type of force used	Handcuffing
Impact Factors (from Use of force form)	Size/Gender/Build
Incident summary	<p>Officers were on mobile patrol around midnight when they noticed a vehicle driving with no lights on. They have followed the vehicle and it has driven at speed before the mounting the curb when stopped.</p> <p>Male has got out of the driver's seat and comes across intoxicated due to slurred speech, glazed eyes and the smell on his breath.</p> <p>He has been asked to carry out a roadside breath test.</p>



Outcome (i.e. arrested)	Arrested
Body Worn Video	Yes, viewed by the panel.
Panel Observations	<p>An IM felt that the first officer viewed on the BWV came across very aggressive and patronizing. The IM felt that the second officer raised their voice unnecessarily when speaking to the DP who the IM suspected English was their second language.</p> <p>An IM commented on the officer moving from rear handcuffing to handcuffing the DP to the front when the officer asked the DP if the handcuffing was alright.</p> <p>Police Constable GR explained that the trainers teach officers the check, look and feel process to ensure handcuffs are applied correctly. This includes asking the DP how they handcuffs feel, looking to see if the handcuffs are accurately placed, and feeling to ensure there is a suitable space between the handcuff and DP's wrist. Police Constable GR explained that when the officer moved from rear cuffing to front cuffing that the handcuff was halfway up the DP's forearm which could have caused a physical risk to the DP.</p> <p>IM felt that both officers were lucky that the DP and their passenger were compliant. An IM commented that the officer handcuffing the DP mentioned it is policing policy to handcuff to the rear but that she would handcuff to the front on this occasion.</p> <p>Police Constable GR asked independent members what they thought about the positioning of the officer at the beginning of the BWV.</p> <p>An IM commented that the officer had put themselves at risk and that the DP could have felt penned in. Police Constable GR explained that officers are taught never to stand directly in front of an individual and to</p>



	<p>allow enough distance between themselves and the DP.</p> <p>An IM asked why the officers did not ask the DP for their details until after the breath test had been carried out?</p> <p>Police Constable GR and Inspector CP explained that it is not a legal requirement to provide personal details. When the officers arrested the individual, officer could then legally obtain the DP's personal details.</p>
Panel Decision	The panel felt that the use of force was proportionate.
Actions taken by Police / feedback provided	Feedback to be shared with the officers and their line managers, including around positioning and handcuffing. IM were particularly keen officers understood how they had put themselves at risk.

Case 5:

Location	Awsworth, Nottinghamshire
Subject	Male 56 4. Asian
Type of force used	Handcuffing
Impact Factors (from Use of force form)	Size/Gender/Build
Incident summary	<p>A domestic incident is reported between husband and wife. Prior to police arrival the husband has left the property in his vehicle, the wife reports that he has been drinking vodka all day and she has concerns around his mental health due to a loss of job and recent family bereavement.</p> <p>When wife is spoken to about the domestic, she discloses that the husband has allegedly raped her on 3 occasions.</p>



	Officers then conduct an area search for the male and the vehicle.
Outcome (i.e. arrested)	Arrested
Body Worn Video	Yes, viewed by the panel.
Panel Observations	<p>An IM asked whether the DP was given any explanation around the use of force. Inspector CP explained that there are a lot of young in force frontline officers who do not have the experience and often focus on getting their words out (around the reasoning for what they are going to do) rather than taking control of the situation as seen in earlier incidents. However, in this situation, the officer has explained the reason for the arrest whilst another officer handcuffed the DP.</p> <p>An IM noted that the DP was matching the steps and direction of the male officer at the incident, and the female officer was matching the steps and direction with some distance to the DP. An IM felt that the officers didn't have control over the DP.</p> <p>Inspector CP explained that the incident involved a missing person, so the officers were aware there was a potential flight risk with the DP. This then developed with new intel into an incident involving DV.</p>
Panel Decision	<p>The panel felt that the use of force was proportionate.</p> <p>BWV gave evidence of compliance.</p>
Actions taken by Police / feedback provided	Feedback to be shared with the officers and their line managers.



Case 6:

Location	Derby City, Derbyshire
Subject	Male 49 4. Asian
Type of force used	Handcuffing
Impact Factors (from Use of force form)	Size/Gender/Build
Incident summary	<p>Domestic incident is reported whereby the victim reports her ex-partner is stalking her by following her and he has installed listening devices at her home address and trackers on her vehicle.</p> <p>Suspect is circulated as wanted as arrest attempts have been unsuccessful. A few days later the victim reports 2 vehicles have been following her.</p> <p>She then calls in again to say that the male is outside her property. Officers arrive and male is trying to leave in the opposite direction in his vehicle.</p>
Outcome (i.e. arrested)	Arrested
Body Worn Video	Yes, viewed by the panel.
Panel Observations	<p>An IM commented that the officer arresting the DP was talking to the DP's back and assuming that he could hear.</p> <p>An IM commented that the officer asked if the DP understood why they were being arrested and when the DP said no, the officer did not offer a second explanation. An IM felt that the caution was rushed and that it should have been repeated.</p> <p>Inspector CP explained that the officer had asked for a second set of handcuffs. This is because the DP was broad, and the two sets of handcuffs can be locked together to allow for the DP to be handcuffed without their</p>



	<p>wrists being forced close together in an uncomfortable position.</p> <p>An IM commented that the officer had handcuffed the individual to the rear and the second officer had adjusted the front car seat in the police vehicle to make space for the man to sit in the car, whilst still handcuffed to the rear.</p> <p>An IM felt that the incident was very fluid, and all seemed to go to plan.</p>
Panel Decision	<p>The panel felt that the use of force was proportionate.</p> <p>BWV gave evidence of compliance.</p>
Actions taken by Police / feedback provided	<p>Feedback to be shared with the officers and their line managers.</p>

Further actions:

No actions noted.

Date of next meeting:

30th September 2024.

