



Derbyshire Constabulary Independent Advisory Group

Use of Force Scrutiny Meeting

Date: 10th January 2024

Attendance Police

Sergeant Jim McGrogan – Police Insight (JM)

Police Constable Thomas Bartup – Police Presenter (TB)

Helen Ham – Head of Equality, Diversity and Inclusion (HH)

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

Independent members

AB – Independent member

PD – Independent member

LK – Independent member

SP – Independent member

PW – Independent member

DD – Independent member

TC – Independent member

RT – Independent member

GR – Independent member

RP – Independent member

LN – Independent member

1) 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 who facilitated their involvement in the panel.

HH welcomed all independent members to the meeting and introduced Sergeant JM who provided an insight into Use of Force Police procedures, Police Constable TB who presented the cases and Body Worn Video (BWV) and HC a new member to the Equality Unit at Derbyshire Constabulary. Independent members introduced themselves. Independent member SP was appointed Chair for the meeting.

HH provided an overview of the forces most recent Equality data surrounding Use of Force. This data is available on Derbyshire Constabulary's website.

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

IAG – Independent Advisory Group

FHQ – Force Headquarters

Irritant Spray PAVA/CAPTUR - pelargonic acid vanillylamide (an irritant spray)

DP - Detained person

BWV – Body Worn Video

DV – Domestic Violence

2) 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.

3) Use of Police Powers Scrutiny

Case 1:

Location	CHESTERFIELD
Subject	46yrs Male White – North European
Type of force used	Irritant Spray PAVA Drawn Irritant Spray PAVA Used
Impact Factors (from Use of force form)	Size/Gender/Build, Crowd
Incident summary	Police were called to a report of a domestic incident whereby a male suspect was at his ex-partners address making threats to assault her. Police attended however the suspect had left prior to police arrival. Officers observed that the door to the address had been broken by the suspect who had been banging on this. The victim believed that the suspect was going to go to the school

	<p>of their children and take one of their children away.</p> <p>Officer have attended the school however staff have refused to let the child go with the male.</p> <p>Officers have returned to see the victim and on arrival have found the male at the address. The male has initially given a false identity and gone to his parent's address, a neighbouring property. Once officers have established the identity of the suspect, they have attended the suspect at the neighbouring property. They are met with the suspect making threats to the officers and the subject of this use of force being verbally aggressive towards them.</p> <p>The suspect was told he was under arrest however he ran away from officers. A foot pursuit has ensued, and the suspect has entered another neighbouring address. Officers have entered the property and arrested the suspect in the kitchen. Whilst making the arrest of the suspect, the subject of this use of force has entered the kitchen and made an approach to officers as though he is going to obstruct their arrest. An officer has deployed his CAPTUR spray towards the subject to prevent him from getting to the suspect and the other officers proving effective.</p> <p>The suspect was arrested and the subject of the use of force was left at the address.</p>
Outcome (i.e., arrested)	Arrested
Body Worn Video	Yes, viewed by the panel.
Panel Observations	<p>One member of the IAG noted that the incident took place in the kitchen, and how this could have put officers at risk.</p> <p>The panel noted that the situation escalated due to the verbal aggression from the suspect's parent.</p> <p>The panel commended the officer for their initial calm dialogue. The panel expressed a concern about children being present when the Use of Force was implemented. The officer did provide a verbal threat and the adults present did not alter their behaviour or remove the children from the scene.</p>
Panel Decision	Panel thought that the officers dealt with the incident well and that use of force was proportionate.

	BWV gave evidence of compliance.
Actions taken by Police/feedback provided	Sergeant JM overview is that the kitchen is one of the riskiest rooms due to access to potential weapons (e.g., knives) and the lack of space when crowded with people. Sergeant JM noted under the circumstances the officers dealt with the situation very well.

Case 2:

Location	LONG EATON
Subject	34yrs Male White – North European
Type of force used	Unarmed Skills Handcuffing – noncompliant Irritant- PAVA spray drawn Irritant- PAVA spray used Baton Drawn Baton Used
Impact Factors (from Use of force form)	Drugs, Alcohol, Mental health, Prior knowledge, Size/Gender/Build
Incident summary	<p>Officers have come across an altercation on the high street, Long Eaton, upon exiting their vehicle, have apprehended one male who was involved in an altercation. The male then grabs an officer by her arm and as such is arrested for assault on an emergency service worker. The male is taken to the floor with a front takedown and gassed.</p> <p>A male who is friends with the suspect, has then began to become combative with officers, punching an officer to the face who was dealing with the initial arrest. The second male and subject of this use of force was CAPTUR sprayed by the officer submitting this use of force which had no effect. The suspect runs away before giving himself up approximately 300 metres away. The officer chasing had no cuffs due to being used on the other male and therefore when caught, demands the suspect to lay on the floor. The suspect refuses and the officer attempts to get the suspect on the floor but is suffering from effects of gas from the initial arrest. Two other officers arrive and try to apprehend the male however he is actively fighting them off. The officer then strikes the male to the leg four times before officers are</p>

	able to gain control of the suspect and he is arrested. The male is taken to the van and continues to resist when trying to get him in the vehicle and assaults another officer by kicking them.
Outcome (i.e., arrested)	Arrested, Made off / escaped
Body Worn Video	Yes, viewed by the panel.
Panel Observations	Panel noted that the officer with the BWV did not intervene to support his two female officers trying to put handcuffs on the DP. Members of the IAG commended the female officers in particular for their firm voice and good instructions.
Panel Decision	Panel thought that use of force was proportionate. BWV gave evidence of compliance.
Actions taken by Police/feedback provided	Sergeant JM stated that officers involved would receive feedback on handcuffing procedures. The DP should have been face down and was handcuffed to the front, which should have been to the rear. Sergeant JM explained to the panel that officers are taught that it is best practice to handcuff a DP from the floor when control is challenging. Police Constable TB provided the explanation that the officer with the BWV had been suffering the impact from the Irritant - PAVA spray previously used by another officer which is why they did not intervene with handcuffing the DP.

Case 3:

Location	ALFRETON
Subject	40yrs Male White- North European
Type of force used	Irritant Spray Unarmed Skills Ground Restraint Unarmed Skills
Impact Factors (from Use of force form)	Possession of a weapon, Alcohol
Incident summary	Whilst dealing with an unrelated incident in Alfreton, an officer was flagged down by an unknown member of public saying that there was a fight on the street.

	<p>The officer has completed an area search when he has seen a male on the street shouting. The male has come over to the police car and hit the passenger side wingmirror, not causing any damage, and shouted to the officer through the passenger window "I AM GOING TO KILL YOU" the male has then walked around to driver's side continuing to shout and swear. The officer has exited the police car to speak to the suspect who has continued to shout and swear when there were numerous children around. The officer has asked the suspect to stop shouting due to the children being around and he has continued to shout and said something about slitting a person's throat. The male was clearly drunk and holding an open cannister of alcohol. Whilst the officer continued to engage with him and the suspect pulled out a knife from his right pocket (unsure if trouser or jacket) and held it in his right hand, holding it with his hand covering majority of the blade and a small amount of the blade visible, he held the knife as if he was going to use it to slash. The officer has then red dotted him using a taser, on being red dotted the suspect has thrown the knife away from him to the left.</p> <p>Further officers have arrived, and the male has then been restrained on the floor by them and CAPTURED.</p> <p>He has been arrested for possession of bladed article and drunk and disorderly. Suspect has continued to be aggressive threatening to head butt officers.</p>
Outcome (i.e., arrested)	Arrested
Body Worn Video	Yes, viewed by the panel.
Panel Observations	<p>Panel commented on the officer's voice to gain control of the situation and that low level use of force was used to gain control and arrest the suspect.</p> <p>An independent member raised concerns for the support the DP would receive for their mental health.</p>
Panel Decision	<p>Appropriate use of force. BWV gave evidence of compliance.</p>
Actions taken by Police/feedback provided	Police Constable TB explained that everyone goes through an initial mental

	health assessment and are either offered support or signposted to support.
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Case 4:

Location	ILKESTON
Subject	13yrs Male White- North European
Type of force used	Other / improvised Irritant Spray
Impact Factors (from Use of force form)	Size/Gender/Build, Prior knowledge
Incident summary	<p>Police receive a report of a male child crashing a vehicle in ILKESTON. Child runs away from the scene.</p> <p>Child has taken his mother's vehicle during the night without her consent. He has then allegedly had several friends in the vehicle and then crashed at speed on the road causing significant damage to the vehicle and central reservation. The child did not return home and had not been seen since the incident, address checks were made to locate him and ensure he was safe and well.</p> <p>The child was located at a local address. Officers were initially going to take him home and advise his parents to take him to hospital and deal with him via voluntary interview. However, his mother did not want him back at home and due to the DV element his was arrested.</p> <p>Male resisted arrest and pushed an officer to the floor. He was CAPTUR sprayed by the officer and taken to the floor and handcuffed.</p>
Outcome (i.e., arrested)	Arrested
Body Worn Video	Yes, viewed by panel.
Panel Observations	<p>An independent member commented on the calm voice the officer had when speaking to DP.</p> <p>The panel felt that the two members of the public escalated the situation.</p> <p>The panel felt that the BWV showed the DP actively resisting arrest and a low level of use of force was used to gain control and arrest the suspect. An Independent</p>

	Member raised concern about using irritant PAVA spray on a child.
Panel Decision	Appropriate use of force. BWV gave evidence of compliance.
Actions take by Police	Police Constable TB explained that custody is a last resort for a child. In this instance, the parent raised safeguarding concerns due to DV, resulting in the outcome.

Case 5:

Location	CHESTERFIELD
Subject	34yrs Male Unknown
Type of force used	Unarmed skills (including pressure points strikes restraints and takedowns) Irritant Spray Taser
Impact Factors (from Use of force form)	Alcohol, Prior knowledge, Size/Gender/Build, Crowd
Incident summary	Police received information that an outstanding offender was inside a pub in Chesterfield who was outstanding for burglary. Officer attend and locate male in the beer garden who immediately tries to run from officers. Suspect jumps a fence however officers waiting for him are able to trip him up. Taser is drawn on male however officers restrain him to the floor. Male is actively resisting arrest and not giving his arm up for handcuffs and is gassed.
Outcome (i.e., arrested)	Arrested
Body Worn Video	Yes, viewed by panel.
Panel Observations	The panel felt the arrest was concluded swiftly in a busy environment. An Independent member reiterated the suspect was warned taser could be used.
Panel Decision	Appropriate use of force. BWV gave evidence of compliance.
Actions taken by Police/feedback provided	Police Constable TB corrected the recorded age (22yrs).

4) Further Actions

No further actions.

5) Date of next meeting

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