

Minutes from the Cambridgeshire and Peterborough Community Scrutiny Panel

1st Use of Force scrutiny session

Date: 18th October 2021

Time: 18:30 – 20:30

Venue: Cambridgeshire Constabulary Headquarters, Hinchingsbrooke, Huntingdon

Attendees:

- 3 independent panel members
- Insp Kirsty Hills, Cambridgeshire Constabulary
- Aly Flowers OPCC – Secretariat
- Sgt Maria Allgood, Cambridgeshire Constabulary (Observer)
- Sgt Emma Hilson, Cambridgeshire Constabulary (Observer)

Apologies from Panel Members: 9 independent panel members

1. Introduction and updates since last meeting

- 1.1 The Chair Al Gadney (AG) welcomed members of the Cambridgeshire and Peterborough Community Scrutiny Panel (the “Panel”) to the first scrutiny meeting of Cambridgeshire Constabulary’s (the “Constabulary”) Use of Force (UoF) powers.
- 1.2 Panel members introduced themselves, along with Inspector Kirsty Hills (KH) from the Constabulary and Aly Flowers (AF) from the Office of the Police and Crime Commissioner (OPCC).
- 1.3 KH informed the Panel that there would be a change in Constabulary Officers supporting the work of the Panel and introduced both Sgt Maria Allgood (MA) and Sgt Emma Hilson (EH). AG wished to formally record his and the Panel’s thanks to KH for all her work in support of the Panel to get it into the strong position that it is now in.
- 1.4 The Chair recognised that attendance at this meeting was limited in terms of numbers but the Chair and Panel Members agreed that it would be beneficial to continue with the scrutiny session.

2. Confidentiality Agreement

- 2.1 All Panel members present were asked to sign individual Confidentiality Agreements and these were returned to AF.

3. Scrutiny – presentation

- 3.1 KH took the Panel members through a presentation covering the legal powers in relation to use of force, the types of use of force, the decision-making model, the contributory factors in deciding to use the powers, and the Code of Ethics in terms of standards of behaviour.
- 3.2 Panel Members were given an explanation regarding the process as to how the body worn video (BWV) records for use of force are selected by AG and EW. Of the eight selected for possible scrutiny at this meeting, three were selected. The Panel noted that two of the eight BWV were

not available. Given the Panel's previous comments regarding the non-availability of BWV for previous stop and search scrutiny sessions, and the action taken for the OPCC to log these and the reasons why in order to identify any emerging themes over time, KH took an action to obtain an explanation as to why these were not available.

Action: KH to obtain an explanation as to why two of the BWVs were not available and for AF to log this

5. Use of Force scrutiny

5.1 AG gave his rationale as to why he had selected the two BWVs for scrutiny. This had been based this month on identifying UoF applied to members of the public with protected characteristics in particular young or those identified in the available records with a potential mental health marker.

5.2 All Panel Members had a pack of information to aid their scrutiny which included the following:

- UoF presentation (that KH had earlier taken the Panel members through)
- 'Code of Ethics – summary' (*from College of Policing's website*)
- UoF Assessment and Rating sheet
- UoF Assessment Sheet (*one for each BWV shown*) including the 'PLANTER' assessment (*'PLANTER' being the mnemonic used to assess the interaction between the police force and the person subject to the use of force*)

5.3 Panel Members were informed of the policy position adopted by the Panel at their meeting on the 21st September 2021 (stop and search scrutiny session) in respect of where Panel members are aware of any of the person(s) shown in the BWV and the need to declare an interest. The policy is that where Panel members do have an interest, it was their choice as to whether they wanted to be excluded from that particular scrutiny session, but any personal interest should be declared in the first instance.

5.4 For each of the scrutiny sessions Panel members viewed the BWV, completed their review forms with their observations and comments following which AG asked each individual Panel member for their views on the use of force encounter:

- If this was a family member would the Panel member be content with what they had seen;
- Did the officer seek to de-escalate as soon as possible;
- Was the use of force proportionate for the risk faced by the officer;
- Was the length of time the force was used acceptable;
- Do the actions of the member of the public warrant force to be used;
- Was it necessary to use force to protect the officer(s) or members of the public;
- Was the type of force used appropriate;
- Was it ethical to use force in the situation;
- Was it reasonable for the officer to use force; and
- Were professional standards met in terms of compliance with the Code of Ethics.

6. Body Worn Video 1 – Ref: UoF/01/21

6.1 This case was selected because it focused on a young female. In summary the Panel's feedback was:

- Officers made a good attempt at de-escalation initially and prior to UoF being used
- Recognised it was a dynamic and tense situation
- Concerned about the amount of time the person was held down on the pavement particularly given that it would undoubtedly have been cold and therefore the person should have been brought up to a standing position sooner.
- The use of force could be justified. Everything that could have been done was done, good team work and was a good example to other Officers.
- Spit hood used but not reported to be used on form
- The Panel agreed that the overall rating was: **Green 3**

The detailed feedback can be seen at Appendix 1.

7. Body Worn Video 2 – Ref: UoF/02/21

7.1 In summary the Panel's feedback was:

- Ethics were generally good, save for deployment of Taser
- Could not comment fully on the overall situation given that:
 - BWV of the Officer who used force did not start early enough
 - Deployment of Taser did not follow protocol
 - Insufficient BWV of the events leading up to the UoF but recognise that other Officers were present and their BWVs may have captured the events but these were not subject to this scrutiny session.
- The Panel agreed that the overall rating was to be determined when further BWV is made available, however based on the only BWV available the interaction would have been an **Amber 4**.

7.2 ***Action: Constabulary to identify all BWV linked to one incident prior to submitting the list of all records to AG and EW in order for them to be aware in terms of their selection and for Panel Chair to view any BWVs linked to the event/use of force to the BWV being scrutinised and then for Chair to give the context of the event to Panel Members ahead of them scrutinising one BWV.***

The detailed feedback can be seen at Appendix 2.

Appendices 1 and 2 are attached.