

Cambridgeshire and Peterborough Community Scrutiny Panel

Minutes of Use of Force Scrutiny Session

Date: 27 September 2022

Time: 18:30 – 20:30

Venue: Cambridgeshire Constabulary Headquarters, Huntingdon

Attendees:

- 11 independent panel members
- Detective Constable Julie McDougall-Waters, Cambridgeshire Constabulary (JM-W)
- Matilda Henry, Office of the Police and Crime Commissioner (MH)
- Charmaine Christie, Office of the Police and Crime Commissioner (CC)

Introduction and welcome

- 1.1 The Chair, Al Gadney (AG) welcomed members of the Cambridgeshire and Peterborough Community Scrutiny Panel (the "Panel") to the scrutiny meeting of Cambridgeshire Constabulary's (the "Constabulary") use of force.
- 1.2 AG asked the Panel what they think should be the minimum requirement for the number of Panel members present to be able to hold a scrutiny meeting. The Panel discussed and agreed on a minimum of the Chair plus 4 members in order to get a balanced discussion and be able to achieve a majority vote on RAG ratings.

2. Minutes of Previous Panel Meeting (28 June 2022)

- 2.1 The minutes of the previous Use of Force Panel meeting were discussed. The minutes had been circulated by the Office of the Police and Crime Commissioner (OPCC), to all attendees, prior to this meeting. No additional comments had been received by the OPCC. AG advised that there being no objections, the minutes for the Panel meeting held on 28 June 2022 were finalised.

3. Action Updates from Previous Panel Meeting (28 June 2022)

- 3.1 The Panel discussed the feedback received from Cambridgeshire Constabulary in response to the actions and feedback provided by the Panel in the meeting of the 28 June 2022.
- 3.2 The Action and Decision Log at the end of this document covers all agreed actions and decisions from the Use of Force Panel meeting held on 28 June 2022, in addition to any actions and decisions from this meeting.

ACTION: 22/06/28/3.2

ACTION: 22/06/28/3.2.1

ACTION: 22/06/28/3.2.2

4. BWV and CCTV Availability

4.1 JM-W explained that some of the selected incidents were from in custody, but the Constabulary have had difficulty getting CCTV from custody at Thorpe Wood and Parkside and therefore the Panel is unable to review use of force in custody at this time. However, this is being looked into so it can be provided for future Panel meetings.

5. Scrutiny of Use of Force incidents

5.1 Incident Reference - UF/3486543415/13

Brief circumstances: Female with mental health difficulties reported to have stated that she had a knife and was going to stab people. On attendance subject was found to be in public and visibly possessing of a knife. Taser discharged and handcuffs used.

For the Panel and Chair's comments see Appendix 1. The Panel rated it as Green 1.

JM-W explained that the officer who fired the taser did so after they had seen the subject start to cut her leg. She also explained that taser does not always work, especially if the subject has layers of clothing on as it cannot always get through the clothing.

ACTION: 22/09/27/5.1

ACTION: 22/09/27/5.1.1

5.2 Incident Reference - UF/2664832020/13

Brief circumstances: Male with mental health difficulties locked himself in his house with a knife, stating he was going to kill himself. Male had taken cocaine and alcohol. Negotiator had been used prior to armed officers attending. Taser aimed but not discharged. Handcuffs used.

For the Panel and Chair's comments see Appendix 2. The Panel rated it as Green 1.

JM-W explained that prior to officers' arrival, the subject had threatened his housemates and they had left the property. Officers had been talking to the subject through the window of the property, prior to armed officers attending.

5.3 Incident Reference - UF/2455126274/22

Brief circumstances: Female with mental health and learning difficulties reported to have stated they had scissors and may stab someone. She has then gone to a nearby shop. Taser discharged and handcuffs used.

For the Panel and Chair's comments see Appendix 3. The Panel rated it as Green 2.

5.4 Incident Reference - UF/0745095579/34

Brief circumstances: CCTV footage from inside a custody cell. Shows officers speaking with a child being held in custody. No sound.

This footage was shown to the Panel to represent the type of footage that is going to be shown in future Use of Force meetings so the Panel can scrutinise use of force within custody. The incident was not shown in full and was not scrutinised by the Panel.

5.5 AG expressed how actions and recommendations regarding the theme of training officers in communication skills with young people and those with complex mental health needs transcend all areas of policing and not just Stop and Search or Use of Force per se. As such it may be necessary to identify a standalone action that picks up this particular area of interest for the panel (see ACTION: 22/06/28/3.2.2).

6. Any Other Business

6.1 AG showed Panel members the Community Scrutiny Panel logo that has been agreed by the Constabulary and OPCC.

6.2 The Panel discussed the need to continually drive recruitment of new Panel members, particularly amongst young people and People from ethnic minorities. AG advised discussions were underway with the OPCC about website and social media presence with a drive including a communication plan that would reach target groups.

7. Date of Next Meeting

7.1 The date of the next Community Scrutiny Panel on Stop and Search is scheduled to take place on 25th October 2022 at Thorpe Wood Police Station.

Action and Decision Log: Use of Force Community Scrutiny Panel

Action/Decision	Date	Information	Owner	Owner Update	Further Information Required
ACTION: 22/06/28/3.2	28/06/2022	Constabulary to review Panel feedback on incident reference UF/1933479576/8. The interaction with the subject was fine. It was not clear why handcuffs were applied and neither was it explained to the individual why they were being applied. This was a compliant handcuffing that appears to be unjustified; hence Panel's request for an understanding of why the UoF was applied.	Constabulary	<p>Compliant handcuffing happens broadly across all police forces in the UK, whether to effect a stop and search or whether you have just arrested someone or otherwise. Just because the subject is presenting 'Compliant' does not mean that they are not a threat to myself, my colleagues or others. Emergency workers get assaulted or let subjects escape when they present compliantly as a means of luring you into a false sense of security.</p> <p>Understandably I have not physically stood and verbally explained to the subjects why I</p>	<p>27/09/2022: The Panel were grateful for the officer's response and explanation in relation to their feedback on incident reference UF/1933479576/8. The Panel felt the officer has taken on their observations. It is worth noting that the training the Panel receives on UoF suggests that when applying handcuffs, subjects are supposed to be told why they are being applied and as such it is less of a gold standard</p>

				<p>have applied handcuffs, however based on the circumstances; that the location was a hotspot for drug dealing and drugs use (which was evidenced by the large number of calls for service and complaints to police about it, prompting our attendance), the fact the persons are unknown to me and I do not know their history/background and whether they are a threat or not and also that they have admitted possession of illegal substances. This for me is enough to suggest I am justified to apply handcuffs to protect me and my colleague from harm if they may be armed with weapons, have a negative disposition towards police or would try to escape by various</p>	<p>more of an expected practice. Panel also accepts that there are often highly dynamic situations where this is not possible. For this to be fed back.</p>
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			<p>means including assault. I also have grounds due to the first subject trying to hide a spliff from me, therefore I believe he may have tried to hide or discard other drugs or illicit items about his person.</p> <p>I have had several first-hand experiences of being assaulted/seeing colleagues assaulted or having people escape from me due to them appearing compliant and not handcuffed and I could give plenty of examples of these if required. I feel content knowing that for applying the handcuffs for 15 minutes negates any threats and significantly lowers any potential risk, rather than the</p>	
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				<p>opposite occurring and then having to give my rationale as to why I've let someone escape or why me or my colleagues have been hurt.</p> <p>I agree that in an ideal situation and to achieve 'Gold standard' I should have verbalised to the subjects why I was applying the handcuffs and I will take that forward where it is practical to do so.</p>	
ACTION: 22/06/28/3.2.1	28/06/2022	Constabulary to review Panel feedback on incident reference UF/0241441404/7. This assessment can be seen in 2 parts. The dealing by the initial officers and their interaction followed by the		<p><u>History</u></p> <p>This incident was not the first time we have dealt with this female. She refuses to accept rules and boundaries set by parents, school etc and has been known to try and manipulate friends and professionals when</p>	27/09/2022: The Panel understand the Sergeant's anticipation of a difficult encounter, but feel that in respect to the code of ethics, his reply fails to recognise that his experiences from the day

		<p>arrival of the supervising sergeant and his interaction. Initially then, with the subject having a complicated history of self-harm and running away, as well as a difficult family background, the female officer dealing with this teenage minor showed excellent rapport, empathy and a natural ability to de-escalate the situation as peaks of heightened attitude arose. The male officer then called over his sergeant supervisor who quite clearly had very recent experience of dealing with the subject. The sergeant's initial immediate interaction was a forceful laying on of hands to</p>		<p>things are not going her way. She has previously made allegations of abuse against her parents and convinced her friend's parents that she needed to live with them as a result. The allegations were investigated and it was deemed that no abuse had taken place. She admitted she had exaggerated incidents when speaking to her friend and the police. She has also made threats to harm/kill herself but these threats are always made when parents or teachers attempt to enforce rules against her. The day before she was also reported missing and considerable time was spent negotiating with her to get her somewhere safe when</p>	<p>before create a prejudice which is evident in his handling of the subject. Consequently, he demonstrated a lack of fairness, respect and objectivity. It is the Panel's understanding that each interaction is meant to be treated as an individual exclusive circumstance and from the officer's comments, this is clearly not the case. The general feeling of the Panel was that the female officer should have been allowed to continue dealing with the subject and that the Sergeant did not need to assert authority.</p>
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		<p>sit the subject back down with a harsh tone, all accompanied with foul language and a reference to the previous day. This could be seen as approaching the situation with a degree of prejudice, which is unacceptable. His presence was provocative and his interaction similarly so. There were occasions where the Sergeant calmed down and the situation improved but he appeared ready to engage in provocative discussion easily. The calm input of the female officer is worthy of commendation and her ability to remain resolute in calming the situation despite the brash approach by her more senior</p>		<p>found. She continually rejected all reasonable compromises.</p> <p><u>Incident</u></p> <p>Female made threats to kill herself after teachers at school took her phone off her and tried to put her into isolation due to her poor behaviour. She managed to leave the school site and was reported missing. She was spotted by officers in Ely and ran from police when seen.</p> <p>There was no traumatic incident prior to being found by police and her behaviour/demeanour was because she had been found by police. Having met her before this is a very similar reaction to her being found previously.</p>	<p>Constabulary are requested to advise on this.</p>
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		<p>colleague is worthy of individual praise. Panel would be grateful for feedback on the Sgt's interaction and why he had approached the situation thus. Of equal value would be whether the Sgt noticed he had indeed tackled this situation in the manner in which the Panel perceived it.</p>		<p>A female officer at scene tried to negotiate with her but it became clear that she was not going to co-operate with us. Knowing her history and previous behaviour, I believed that it needed to be made clear to her that we were not going to walk away and that she would not be allowed to walk off. I recall her standing up at one point and being firm with her telling her to sit down. My concern was that if she tried to walk off we would need to restrain her which would risk injuring either her or an officer. We are more able to control her and reduce the risk when she is sitting. She was given the option of being taken home or to the</p>	
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				<p>police station under PP both of which she rejected.</p> <p>From the incident the previous day I knew that negotiation was unlikely to succeed and that she would continue to refuse to cooperate. I decided to try a firmer approach, making it very clear what her options were. From my experience sometimes this works and sometimes it doesn't. In this case the female was taken back to police vehicle and back to the police station promptly with a minimal use of force by any police officer. It is my view that we could have tried a softer approach for longer but we would still have ultimately needed to use force to get her away from the scene.</p>	
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				<p>It's worth mentioning that her demeanour completely changed once she was placed in a police vehicle. She spoke calmly and engaged well with all officers who had further interactions with her. It is my view that this is because she understood police were not going to back down or give in to any demands. Within 10 minutes of leaving the scene, I was sat at the police station having made her a cup of tea talking about her home life and future plans. She was laughing and joking and was in no way distressed or upset.</p> <p>While I appreciate that a very firm and direct approach may appear harsh when viewed in isolation, I</p>	
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				hope that the previous police interactions with this female go some way to explain why this approach was tried in this case.	
ACTION: 22/06/28/3.2.2	28/06/2022	<p>Constabulary to review Panel feedback on incident reference UF/3402262539/4 and UF/3379797349/11.</p> <p>The overall sense was that the Panel was disappointed with the Ethics and Professionalism of this interaction. In recognising the severity of the charges against the individual and the unknown threats may have existed (compounded by the physical struggle), Panel were content that UoF was necessary.</p> <p>However, this individual was clearly overwhelmed with the</p>	Constabulary	<p><u>Update from Inspector.</u></p> <p>I have reviewed the body worn video footage available. On my review within the footage, I do not see the officers being unnecessarily aggressive but they do go straight into arresting a suspect for an offence, which is only one option. In my opinion this opinion was formed early once it had been established that the female had previous offences and warning markers for assaulting police and there are no documented other options. I believe there is some individual</p>	<p>27/09/2022: The Panel were pleased with the manner in which their comments were received and the response from the managing inspector.</p> <p>In alignment with the Inspector's comments regarding suitable training to deal with complex Mental Health issues, panel would like to know what training is provided to officers in relation to dealing with children and young</p>

		<p>situation and her reactions to some quite provocative statements and questioning should have been expected. This particular case was selected on the very basis that the individual was a minor and therefore a vulnerable person. There was no clear single lead officer in the interaction and lack of structure to the arrest. It was felt that a team discussion before entering the house and identification of a lead officer with an agreed communication strategy would have served these officers a lot better. Empathy and understanding of the complex needs and lack of mental maturity among teens requires</p>		<p>learning that can come from this incident for all involved.</p> <ul style="list-style-type: none">- The officers could have and had an option to better explain their reasons for being there and what their intentions were/how they were going to be dealing with the incident. One option for the officers was to fully explain to the mother that her daughter was going to be arrested and could have sought her help in remaining calm and explaining this to her daughter, in turn, keeping her calm too. I also note that a support worker was present who could have	<p>adults with mental health issues, both initially in training and subsequently during service?</p> <p>Feedback to Inspector to be provided and Constabulary to advise.</p>
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		<p>a different interaction than mature adults. It is accepted that officers have little direct training in dealing with minors let alone those with mental health issues, it really is of paramount importance that the constabulary recognise the need for further training this area.</p>		<p>been utilised better to facilitate communication.</p> <ul style="list-style-type: none">- The immediate arrest increased tensions and agitated/aggressive behaviour from the daughter. Due to the mother not understanding what was happening it also increases her agitations as both mother and daughter thought police were there to help them after an allegation they made of assault, rather than attending to arrest her.- One officer taking the lead. I note that one of the officers was a Special Constable who appeared to try this without	
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				<p>success. One of the other officers should have taken control of the situation from the start</p> <ul style="list-style-type: none">- Continual assessment of required resources. I note that the female had a number of warning markers for assaulting police and being violent. Nothing was held on Police systems regarding her MH (mum states PTSD). Had this been known prior this may have impacted resourcing decisions.- The female officer and Special constable should have their training	
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				<p>refreshed around communication styles</p> <p>I deem the use of force to be proportionate, reasonable, and justifiable. Within the footage I do not see the officers being unnecessarily aggressive, although they are straight in and to the point, rather than using their tactical communication skills. Whilst the female is kicking out and shouting abuse at officers she manages to slip out of a cuff. This poses another risk to officer safety and is dealt with.</p> <p>This has been suitably de-briefed with the officers involved and learning has been taken onboard. I note that officers</p>	
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				training around complex MH, behavioural and mental maturity of young persons is severely lacking within the Police service.	
ACTION: 22/06/28	28/06/2022	Constabulary to review Panel feedback on incident reference UF/1180389196/30 and UF/1093067072/3. A fine example of a very dynamic situation which resulted in a solid result.	Constabulary	Officers emailed feedback on 20/07/22.	Action closed.
ACTION: 22/09/27/5.1	27/09/2022	Was it necessary for four tasers to be used in red dotting the subject?	Constabulary		
ACTION: 22/09/27/5.1.1	27/09/2022	How long does the taser continue to work when discharged?	Constabulary		