

Cambridgeshire and Peterborough Community Scrutiny Panel

Minutes of Use of Force Scrutiny Session

Date: 21 February 2023
Time: 17:45 – 19:45
Venue: Anglia Ruskin University, Peterborough

Attendees:

- 8 independent panel members
- Superintendent Robin Sissons - Cambridgeshire Constabulary (RS)
- Sergeant Ciaran Constable – Cambridgeshire Constabulary (CC)
- Detective Constable Julie, McDougall-Waters – Cambridgeshire Constabulary (JM-W)
- Caitlin Bones - Ethics & Legitimacy Co-ordinator, Cambridgeshire Constabulary
- Matilda Henry, Office of the Police and Crime Commissioner (MH)
- Charmaine Christie, Office of the Police and Crime Commissioner

1. Introduction and welcome

- 1.1 Community Scrutiny Panel (the “Panel”) members were welcomed to the scrutiny meeting of Cambridgeshire Constabulary’s (the “Constabulary”) use of force.

2 Minutes of previous Use of Force meeting (22nd November 2022)

- 2.1 AG asked panel members whether they agreed with the minutes sent to them following the previous meeting or if they had any comments. The panel was happy with the minutes and had no objections. Minutes agreed.
- 2.2 AG stated that ACTION: 22/06/28/3.2.1 could be closed once RS provided an update. All other actions could be closed.
- 2.3 MH presented the completed leaflets for the Community Scrutiny Panel recruitment campaign and distributed to Panel members as requested.
- 2.4 Panel provided their thoughts on the use of the new meeting location at Anglia Ruskin University. A potential issue was raised in terms of privacy and request made to explore other rooms at the location that may be more suitable.

3 Scrutiny Business

- 3.1 Panel members were advised that this evening’s meeting will be focused on scrutinising use of force within custody.
- 3.2 Discussion regarding the availability of CCTV in custody. Out of the 8 different sets of video material, only 2 had supporting CCTV and 3 others had BWV.
- 3.3 Panel members were advised that CCTV from custody is kept for 28 days and then expires, so footage cannot be accessed after this time. CC confirmed that custody refers to the cell block where those arrested are seen and that Body Worn Video (BWV) is not used within custody due to CCTV being used.

ACTION: 23/02/21/1.6

Constabulary to review the length of time that audio and video records are retained.

4 Scrutiny of Use of Force incidents

4.1 Incident Reference – UF/1117793664/3

Brief circumstances: Police attended supermarket where the subject had assaulted customers and staff and, subsequently, police officers.

CC advised the Panel how a person is managed whilst in custody and that a vulnerability assessment is completed. A risk assessment is completed when a person enters custody and this would not be seen in the videos.

RS advised the Panel that it is bad practice for an officer to push people back and slam the door shut when people try and leave the custody room. A suggestion was made to Panel that it be arranged for members to visit a custody suite. Panel members agreed that would be useful.

Panel member asked what happens when someone taken into custody requires mental health services. JM-W advised that the person can be sectioned under 136 and attend a hospital for an assessment.

For the Panel and Chair's comments see Appendix 1. The Panel rated the incident Red overall, with 4 members voting Red and 3 voting Amber.

Discussion amongst Panel members regarding the RAG rating. Members felt that the wording of the ratings is unclear, meaning each grading is not clearly defined.

ACTION: 23/02/21/2.1

Constabulary to arrange a custody suite visit for Panel members.

ACTION: 23/02/21/2.1.1

OPCC and Panel Chair to review the wording of the RAG ratings.

4.2 Incident Reference – UF/1353535295/12

Brief circumstances: Subject arrested for drunk & disorderly – has been causing problems throughout the evening in the town centre, pushing door staff and putting his hands in people's pockets.

JM-W provided further background information to the incident and advised that the officers present in the video are the Detention Officer, 2 Police Sergeants and 2 Police Constables.

A Panel member questioned whether it would have been easier for the officer to reapply handcuffs to the subject whilst conducting a search, rather than have officers holding his arms.

CC advised that officers needed to be able to remove the subjects clothing and any found items whilst he was being searched, which they would not have been able to do if he were handcuffed, hence officers holding his arms instead.

A Panel member asked whether the code of ethics apply whilst a detainee is in custody.

CC advised that the code of ethics applies in all areas of policing.

For the Panel and Chair's comments see Appendix 2. The Panel rated the incident Green.

ACTION: 23/02/21/2.2

The Panel commended the Sergeant for her good use of de-escalation.

4.3 Incident Reference – UF/3805495652/14

Brief circumstances: Subject in custody for assaulting care workers at care home. Whilst being released on bail she has assaulted officers. Multiple assaults on officers during stay in custody. Officers are tasked with constant observation of female to prevent her harming herself.

JM-D provided the Panel with further background information to the incident.

CC provided clarity to the Panel that a Sergeant is seen to use pressure points on the subject's neck which is a method used control the situation and can be mistaken for handling a subject's throat. An officer is also seen to check the hand restraints on the subject to make sure they're not too tight. One officer is seen to stand on the subject to restrain her lower limbs and this is subject to action feedback.

For the Panel and Chair's comments see Appendix 3. The Panel rated the incident Green overall, with 4 members voting Green and 3 voting Amber.

ACTION: 23/02/21/2.3

Constabulary to provide feedback to the officer.

5 AOB - Recruitment

- 5.1 MH advised the Panel that the OPCC are currently looking into how younger people may be able to join the Panel and attend meetings. The Panel is open to expressions of interest from people aged 16 years and above, however safeguarding is currently being addressed before members younger than 18 years old are able to join meetings. The Panel was asked to consider who recruitment leaflets can be given to and to email the OPCC with details of anyone looking to join the Panel.

6 Date of Next Meeting

- 6.1 The date of the next Community Scrutiny Panel meeting on Use of Force is scheduled to take place on the 23rd May 2023 at Parkside Police Station, Cambridge.

Action and Decision Log: Use of Force Community Scrutiny Panel

Action/Decision	Date	Information	Owner	Owner Update	Further Information Required
ACTION: 22/06/28/3.2.1	28/06/2022	<p>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 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</p>	Constabulary	<p><u>History</u> 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 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</p>	

		<p>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.</p> <p>The sergeant's initial immediate interaction was a forceful laying on of hands to sit the subject back down with a harsh tone, all accompanied with foul language and a reference to the previous day.</p> <p>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</p>		<p>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 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</p>	
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		<p>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 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>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>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</p>	
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		<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 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.</p>		<p>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 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 co-operate. I decided to try a firmer approach, making it very clear what her options were. From my experience sometimes this works</p>	
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		<p>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> <p>Constabulary are requested to advise on this.</p>		<p>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> <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</p>	
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			<p>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 hope that the previous police interactions with this female go some way to explain why this approach was tried in this case.</p> <p>Further response provided following 21/02/2023 meeting: The Constabulary has reviewed all entries made by the sergeant from the date of the incident to the current</p>	
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				day (22/02/2023). All have been proportionate and there have been no entries that have caused the reviewing officer (Inspector Rice) concern. We are therefore content that this action is closed.	
ACTION: 23/02/21/1.6	21/02/2023	Constabulary to review the length of time that audio and video records are retained to support availability for scrutiny.	Constabulary		
ACTION: 23/02/21/2.1	21/02/2023	Arrange a custody suite visit for Panel members to attend.	Constabulary		
ACTION: 23/02/21/2.1.1	21/02/2023	To review the wording of the RAG ratings to ensure there is a clear difference between each grade.	OPCC & Panel Chair		
ACTION: 23/02/21/2.2	21/02/2023	Would like to provide feedback to the female	Constabulary		

		Sergeant present that she showed a good use of de-escalation.			
ACTION: 23/02/21/2.3		Constabulary to provide feedback to the officer for the tone of his engagement and putting his foot on the subject.	Constabulary		