



Devon & Cornwall Police



PCC
Office of the Police and
Crime Commissioner
Devon and Cornwall



DORSET
POLICE & CRIME
COMMISSIONER

Devon and Cornwall and Dorset Police and Crime Commissioners

Summary of the Strategic Alliance Use of Force Scrutiny Panel

Thursday 28 February 2018 at 11am

Attendees

- Alison Hernandez Chair, Police and Crime Commissioner for Devon & Cornwall – AH
- Vicky Booty Policy Officer, Devon & Cornwall OPCC – VB
- Paul Cashmore Member of the Public, Dorset – PC
- Jeff Coe Staff Officer, Devon and Cornwall OPCC - JC
- Allan Daniels Member of the Public, Devon & Cornwall – AD
- Graham Fice Member of the Public, Devon & Cornwall- GF
- Anna Giles Governance Officer, Dorset OPCC – AG
- Stan Sadler Dorset Healthcare – SS
- Guy Shimmons Chief Inspection, Devon & Cornwall and Dorset Police - GS
- Tom Smith Governance Advisor, Dorset OPCC – TS

Apologies

Julie Downton, Ebony Harding, Charlie Souter-Phillips, Jez Noyce and Sue Docker.

Summary of Meeting

The minutes from the previous meeting were agreed as a true record. The summary was agreed with minor amendments. The actions from the previous meeting were reviewed.

The use of force records and guidance were discussed for each force area. It was noted that there were some key differences between the two force areas as a result of them using different IT systems. GS informed the panel both force areas are compliant with Home Office Regulations in that the form used captures all the required data. However he cannot confirm compliance in terms of capturing every incident of use of force as this data is not available. GS confirmed work is being done to ensure compliance in that area. The panel discussed ways of making the use of force form more consistent across the two force areas and more accessible to officers; this will be taken forward by AH. It was noted that the form asks about the physical wellbeing of the officer, however it does not ask about mental wellbeing. The panel asked whether this could be included in the form; it was believed that this would send the message that it is acceptable to talk about mental health. It was noted that this was a relatively recent form introduced by the Home Office and that it is possible the Home Office will seek to make changes to this going forward.

The panel reviewed the performance pack and statistics for use of force. It was noted that this is publicly available information. The panel noted an increase in use of force across both force areas and suggested including context around the population and the changes in this due to tourism to allow for better understanding of this. The panel also requested that in future they be provided with more in depth information. The panel were presented with the HMICFRS' letter on use of force in custody. The panel discussed custody inspections and it was noted that Dorset is currently rated as 'good' and Devon & Cornwall are awaiting an inspection. Various types of use of force used within a custody setting were discussed, including spit guards and flax suits. The panel suggested that custody be the theme for the next meeting.

A selection of cases were reviewed by the panel. The case reviewed for Devon & Cornwall involved the use of PAVA and limb restraints on a subject who was believed to be in mental health crisis. GF questioned whether the subject should have been warned prior to the use of PAVA. GS confirmed that there is no requirement to warn the subject when using PAVA, however Taser is different and has a step process which includes warning the subject. GS noted that the panel may wish to listen to the dispatch call for the dip sampling cases. SS agreed with this stating he would like further context and understanding of the decision making around the deployment of officers. SS commented that with this case the officers were reacting to the case but questioned what was done as means of prevention. AH questioned why an ambulance was not also deployed on this case with it being a suicide attempt.

The case reviewed for Dorset involved unarmed strikes, restraint and handcuffing on a subject who was believed to be in mental health crisis. It was highlighted that the subject was detained under the mental health act. GS informed the panel that when detaining a person under the mental health act, the police in both Devon & Cornwall and Dorset will take the individual to a mental health service provider and they will not be detained within custody. SS noted that this can be a difficult situation for the police as they may need to transport the individual some way to the nearest mental health facility and the individual may then ultimately end up being released due to the strain on these environments. GS commented that this can have a significant impact on policing as it becomes a cycle and can drain resources. AH questioned whether this can cause a disproportionate use of force on those suffering from mental ill health. JC commented that once a subject is detained under the mental health act they can only be released by a health care professional and the police are responsible for that person until they are assessed. If the individual behaviour escalates within that time, the officers will need to continue to increase the amount of force used to control the individual

It was agreed that the panel needed to be clearer on its function and on what data it required for future meetings. As such the panel agreed to hold an 'away day' to covering the following:

- Decide on what information the Panel would like and how this is to be presented.
- To agree on themes for the Panel Meetings over the next 6-12 months.
- Look at the Terms of Reference for the Panel.
- Clarify a methodology to be used for dip sampling.

This will be arranged by Devon & Cornwall OPCC.

It was agreed that the theme for the next meeting would be Custody and Young People. For the purposes of this panel young people are defined as those under the age of 21.

The date of the next meeting was confirmed as 31st May 2018.