

For Information	
Public/Non Public*	Public
Report to:	Strategic Resources and Performance Meeting
Date of Meeting:	9th November 2017
Report of:	Thematic Scrutiny – Police use of Force
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Agenda Item:	3

*If Non Public, please state under which category number from the guidance in the space provided.

Police Use of Force

1. Purpose of the Report

- 1.1 To initially brief the meeting in relation to developments around how Nottinghamshire Police record use of force and the potential opportunities for greater scrutiny both internally and externally.

2. Recommendations

- 2.1 It is recommended that the meeting note this report.

3. Reasons for Recommendations

- 3.1 To update the meeting with progress and developments in relation to this matter.

4. Summary of Key Points

- 4.1 The IPCC published a report into Police use of force in March 2016. The report detailed 16 recommendations that Police Forces need to consider in relation to how force is used and recorded by its staff and how its effectiveness is evaluated. It was noted that Nottinghamshire Police already implement some of the recommendations. However, there were some gaps which have led to a series of developments being introduced to make it compliant with the report.
- 4.2 A quarterly 'Use of Force' meeting has been set up, with the aim of reviewing use of force within Nottinghamshire Police over the past quarter to identify any trends or concerns. Attendees include Professional Standards, Federation, Health and Safety officers and Officer Safety Trainers. Each delegate has an opportunity to raise observations / learning from their areas of business with a view to improving tactics through education. Any individual developmental requirements identified from the meeting will be fed back to front line supervisors for them to action. Opportunities around improved data collection will provide the basis for a richer picture leading to more in-depth scrutiny for example geographical hot spot locations.

- 4.3 Work is currently in progress to improve information available to the public around the legality of how Police officers use force and in what circumstances. The plan is for a page on the website to be dedicated to detailing the types of force used by Police officers and in what circumstances force can be used within the law. Further information will detail the effects of certain types of Personnel Protection equipment being used and what reaction can be expected. For example, reddening to the wrists when cuffs are applied during non-compliant handcuffing. Posters will be placed in prominent public facing places in Police stations, i.e. Custody, Front Counters as well as smaller flyers that can be handed to any interested parties. The posters and flyers will signpost to the website where more detailed information will be available.
- 4.4 Some of the recommendations are around providing opportunities for transparency and public scrutiny. Plans are in place with the PCC's office to develop a scrutiny panel made up of appointed community members. Members will scrutinise redacted cases of use of force, stop and search and discrimination complaints. This will enable the organisation to receive and respond to community feedback in relation to these issues and will be an opportunity for organisational learning. The aim of the meeting is to build trust and confidence especially within BME communities. Members of the panel will be appointed through a recruitment and selection process.
- 4.5 The Home Office have requested Annual Data Returns (ADR) in relation to use of force recorded by each Force. The first return is not due to be sent to the Home Office until April 2018. The current system used by the Force is ADR compliant and the data is being captured accordingly. The National Police Chiefs council (NPCC) have requested that the quarterly raw data is published on the website to allow transparency to the public. The first quarter was published on the website in July 2017 in accordance with the NPCC's recommendations.
- 4.6 Use of force is currently recorded on the Multi-Force Shared Service system under Health and Safety. The system allows for line managers to review incidents where force has been used by members of their team. It also provides data parameters for the system to be interrogated if a date range is required. The system does not communicate with Niche, which is the main recording database used by officers, however an options paper is currently going through the Priority Planning Board to adopt the Apex system for recording use of force. This system is ADR compliant and was developed by Northamptonshire and is currently also used by Leicestershire. The system is standalone, however, its gateway is through Niche allowing data on this system to populate Niche. The advantages to this system are:
- Nottinghamshire will have a greater ability to respond to change, when compared to externally provided national systems [Oracle/Niche]. This change will be agile and tailored to the needs of the local forces with governance restricted to Nottinghamshire, Leicestershire and Northamptonshire rather than seeking agreement across a myriad of forces and competing priorities.

- Effectiveness of each technique can be recorded. This makes the data useful for making decisions on our officer safety training.
- The design includes compliant handcuffing, creating a very quick recording of this information, encouraging recording compliance.
- The Apex system communicates with the Chronicle system so Taser deployment and Use of Force can be recorded on the Apex solution and available within both the RMS Niche Chronicle without the need to double key information.
- Performance reports and Dashboards can be created by Business Objects allowing for scrutiny of Use of Force information.

5. Financial Implications and Budget Provision

- 5.1 There will be no financial implications for the development and implication of the Apex system. The only costs anticipated will be printing costs for flyers and posters in order to provide information to the public around Police use of force.

6. Human Resources Implications

- 6.1 No HR implications have been identified.

7. Equality Implications

- 7.1 There are no equality implications as a result of this report.

8. Risk Management

- 8.1 Work outlined above seeks to meet all recommendations from the IPCC, NPCC and the Home Office.

9. Policy Implications and links to the Police and Crime Plan Priorities

- 9.1 The work outlined in the document links to the PCC's vision of improving trust and confidence in policing. It also links to the values of building respect and accountability to communities through openness and transparency.

10. Changes in Legislation or other Legal Considerations

- 10.1 At this stage there are no requirements to change any policies. If supported the Force policy for recording use of force will need to be updated to reflect the new recording procedure through Niche onto the Apex database.

11. Details of outcome of consultation

- 11.1 Consultation has occurred internally around the use of the Apex system to record use of force. An application has been made to the Enablers meeting prior to progressing to the Priority Planning Board. This has allowed all departments to comment or highlight observations around the recommendation.

12. Appendices

12.1 Appendix A

Appendix A – 1st Quarter use of Force data published on the website.

- Police officers are frequently required to deal with conflict situations. Many of these are resolved using well-chosen, appropriate words and by managing human interaction.
- Other situations require varying degrees of physical force, including, on occasions, the use of firearms by authorised firearms officers. This proportionate response is a well-established and necessary approach to managing conflict in a democratic society.
- The Criminal Law Act 1967, the Police and Criminal Evidence Act 1984 and common law apply to all uses of force by the police and require that any use of force should be 'reasonable' in the circumstances. Reasonable in these circumstances means:
 - Absolutely necessary for a purpose permitted by law.
 - The amount of force used must also be reasonable and proportionate (i.e. the degree of force used must be the minimum required in the circumstances to achieve the lawful objective) otherwise, it is likely that the use of force will be excessive and unlawful.
- From the 1st April 2017 – 30th June 2017 there were 44,674 incidents that required attendance by an officer. From those incidents **395** resulted in officers having to use Force which represents **0.88%** of the total. Summarised below is a breakdown of the data recorded around Force used by Nottinghamshire Officers.

