

<b>For Information</b>	
<b>Public</b>	<b>Yes</b>
<b>Report to:</b>	<b>Office of the Police and Crime Commissioner</b>
<b>Date of Meeting:</b>	<b>18<sup>th</sup> September 2020</b>
<b>Report of:</b>	<b>Chief Constable</b>
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<b>Agenda Item:</b>	<b>7</b>

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

## Nottinghamshire Police Use of Force 2019-2020

### 1. Purpose of the Report

- 1.1 The purpose of the report is to provide an overview to the Police and Crime Commissioner around use of force within Nottinghamshire Police. This will focus on performance, proportionality and outcome rates for the Force.

### 2. Recommendations

- 2.1 It is recommended that the contents of this report and appendices are noted.

### 3. Reasons for Recommendations

- 3.1 To ensure that the PCC is updated and provided with assurance on this area of business.

### 4. Summary of Key Points

- 4.1 In the 2019-2020 performance year there were 7,086 incidents where use of force was recorded. This is a 30% increase on the previous performance year.
- 4.2 The main area that showed an increase was handcuffing. This was mainly compliant handcuffing that saw a 27% increase in reporting and physical restraint that showed an increase of 32%. The increase in these areas is mainly due to the following:
- During the performance year there was a focus to remind officers that however compliant the subject may be, to physically take hold of someone and use handcuffs is a recordable use of force. This was emphasised through internal circulars within the organisation and a greater emphasis in officer safety training.
  - Processes have been developed to make it easier for officers to record use of handcuffs whilst carrying out a stop and search procedure. The platform for recording stop and search has been adapted to allow a more simple procedure to include the use of force information so an officer only needs to fill in one form rather than two.

- 4.3 The use of irritant spray saw an increase of 25% on the previous year. Towards the end of the performance year Nottinghamshire Police moved their irritant spray product from a CS based spray to a PAVA based option. This was in line with the national picture, with only one force nationally still using CS spray. The rationale for the move is that PAVA is far less flammable than CS options and as such can be used in conjunction with Taser. There is virtually no cross contamination making it safer to use for officers in high risk situations. It should be noted that although the percentage increase is high, the actual figures for using irritant spray are low (actual yearly figure is 34). A small increase in figures can lead to a big percentage increase. Most quarters of the last performance year saw a slight increase in irritant spray usage however the fourth quarter saw the biggest increase in irritant spray use, which was when CS Spray was replaced with PAVA. This indicates an increase in officer confidence to use irritant spray as a tactical option.
- 4.4 TASER usage also saw a significant increase of 49% on the previous year. During the performance year there has been a significant increase in officers trained to carry TASER through Government funding. This has resulted in TASER being more readily available to front line officers as a tactical option to deal with threat and risk particularly from weapons. Although the wider public perception of Taser is that it is a higher level of force used by officers, it is actually a far safer option than other alternatives leading to less injury, such as a baton. This is reflected in the officer and subject injury figures, which is continuing the downward trajectory from the previous year.

## **5. Financial Implications and Budget Provision**

- 5.1 There are no financial implications arising from this report.

## **6. Human Resources Implications**

- 6.1 There are no human resource implications arising from this report.

## **7. Equality Implications**

- 7.1 Appendix 1 details the proportionality of use of force in line with Ethnicity across the population of Nottinghamshire. The document breaks down the tactics recorded for use of force.
- 7.2 For all use of force tactics, the rate of BME subjects where force has been used is 20 per 1000 of the population. The highest category is Black at 51.6 per 1000 of the population.
- 7.3 There are disparities in the recording as it is widely accepted that all use of force is not 100% recorded. Anecdotal evidence would suggest officers will record use of force if it is a requirement of a proactive operation, the incident may lead to a complaint or is in line with another recordable activity (i.e. stop and search). Where BME figures for the population are low, any proactive operation where there is an increased chance of persons with BME origins

being subject to use of force, will disproportionately affect the figures. An example of this is where the Knife Crime Team may work in areas where there is a high gang culture and persons routinely carry knives.

## **8. Risk Management**

- 8.1 Under recording of the use of force continues to be a key risk to the recorded data captured by the organisation and returned to the Home Office. This is not just an issue unique to Nottinghamshire Police but is a national problem with virtually all forces not recording the true amount of force used by their officers.
- 8.2 There were 7,086 use of force incidents recorded by Nottinghamshire Police during the previous performance year. It should be noted that during the same time period there were 18,315 persons arrested by Police Officers. The figures would suggest that 11,229 persons arrested were compliant and no force was used upon arrest. It is a viable assumption that this is not the case as the majority of persons arrested are likely to have handcuffs applied even if compliant to prevent escape or in some circumstances to protect officers and the public which demonstrates the under recording issue.
- 8.3 All officers must record force when it is used by entering a use of force report through Niche. However, this is often viewed as an admin task for data collection and as such is often overlooked.
- 8.4 Over the last 12 months' various initiatives have been used to increase reporting and make officers more compliant including the following:
- The Professional Standards Department have released internal communications following high profile discipline proceedings around use of force highlighting the requirement to complete use of force forms. The focus has been supportive around how the forms are useful to the investigation to allow an early assessment to be completed around rationale for why force was used.
  - Internal communications have been released by the use of force lead highlighting the importance of completing use of force forms from an intelligence angle. The focus has been on collating information around a nominal, particularly their compliance with officers allowing a greater understanding of the risk from that particular subject. The view has been to move away from the culture of the recording being just for statistics, demonstrating the value of the information recorded.
  - Probationer training have developed a package around the use of force process with a role play involving having to consider use of force. This package includes a clear focus on the reporting of the actions that an officer takes and recording their rationale.
  - The organisation has moved away from recording use of force on a stand-alone system and it is now recorded by using a gateway through Niche. This has

made it easier for officers to record use of force as it is a system that they use for crime management and intelligence submissions.

- The senior management team within custody is focusing on the custody sergeants being more inquisitive around use of force at the point of booking persons in to custody. If force has been used by the officer the custody Sergeants will request that officers immediately complete a use of force form and the occurrence number generated by Niche is added to the custody record.

These initiatives have assisted in seeing the 30% increase in reporting during the performance year.

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

- 9.1 A new policy has been written for PAVA. The policies have been scheduled for review in 2022 – 2023.
- 9.2 This piece of work is intrinsically linked to the Police and Crime Plan, particularly the 'Transforming Services and Delivering Quality Policing' priority, which is about improving confidence and satisfaction in policing and securing value for money.

## **10. Changes in Legislation or other Legal Considerations**

- 10.1 The use of force and Personal Protective equipment (PPE) policies have all been updated and now all contain the current legislation and standard operating procedures.

## **11. Details of outcome of consultation**

- 11.1 There has been no consultation in relation to this report, which is intended to update the OPCC on this area of business.

## **12. Appendices**

- 12.1 Appendix A - Use of force Info graphic (See attached).
- 12.2 Appendix B - Use of Force Proportionality 2019 - 2020

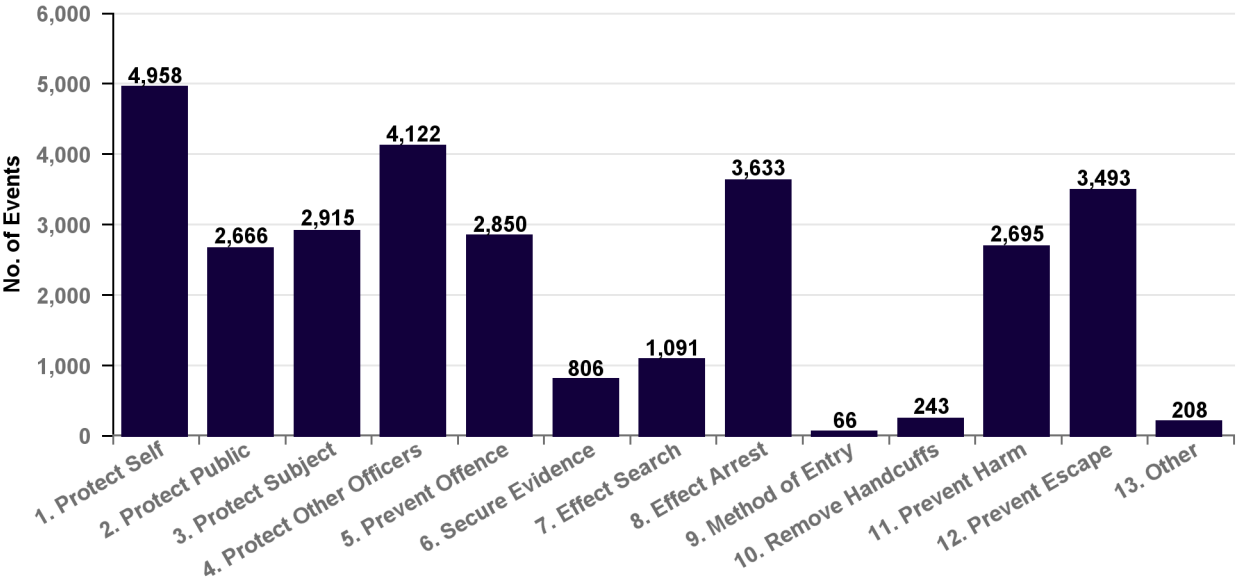
# Use of Force

(Apr 19 - Mar 20)

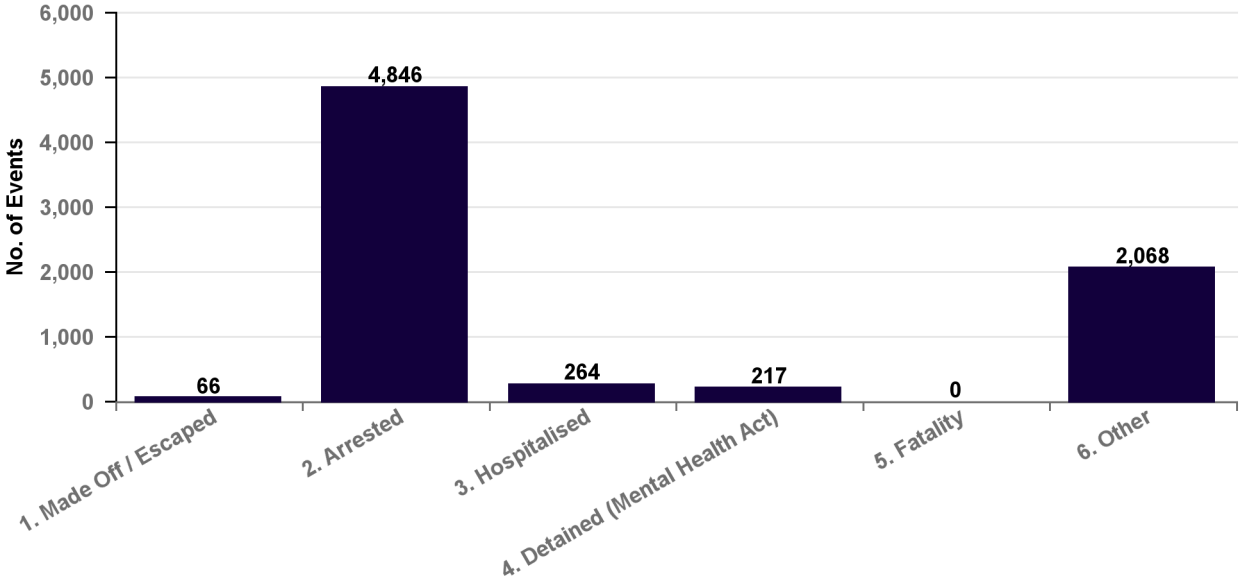
7,086	Use of Force Events
5,207	Handcuffing (Compliant or Non-compliant)
2,660	Physical/Restraint Used
134	Incapacitant (Drawn or used)
389	TASER (Drawn, aimed or fired)

Subject Gender		Subject Ethnicity	
♀	Female	Asian (or Asian British)	450
	938	Black (or Black British)	893
♂	Male	Chinese	4
	6,137	Multiple Heritages	342
♀	Transgender	White	5,277
	0	Other	74
?	Unknown	Unknown	0
	0	 Injury Sustained Officer: 8.2% Subject: 7.7%	

Use of Force by Reason



Use of Force by Outcome



## Appendix B

### Use of Force Ethnicity Proportionality 2019 - 2020

- Number – Recorded use of force events 2019 – 2020
- Population – Recorded population of ethnicity in Nottinghamshire
- Rate – Number of use of force recorded against 1000 population.
- Ratio - compares the black/mixed/asian/BAME rate to the white rate.

#### Force - All Use of Force Tactics

	White	Black	Mixed	Asian or Other	BME
Number	5277	893	342	450	1685
Population	969501	27287	30981	63713	121981
Rate	5.443	32.726	11.039	7.063	13.814
Ratio	-	6.0	2.0	1.3	2.5

#### Force - C.E.D

	White	Black	Mixed	Asian or Other	BME
Number	312	49	26	15	90
Population	969501	27287	30981	63713	121981
Rate	0.322	1.796	0.839	0.235	0.738
Ratio	-	5.6	2.6	0.7	2.3

#### Force - Compliant Handcuffing

	White	Black	Mixed	Asian or Other	BME
Number	1473	210	86	154	450
Population	969501	27287	30981	63713	121981
Rate	1.519	7.696	2.776	2.417	3.689
Ratio	-	5.1	1.8	1.6	2.4

#### Force - Irritant Spray - PAVA Used

	White	Black	Mixed	Asian or Other	BME
Number	13	3	1	1	5
Population	969501	27287	30981	63713	121981
Rate	0.013	0.110	0.032	0.016	0.041
Ratio	-	8.2	2.4	1.2	3.1

#### Force - Limb/Body Restraints

	White	Black	Mixed	Asian or Other	BME
Number	290	25	8	10	43
Population	969501	27287	30981	63713	121981
Rate	0.299	0.916	0.258	0.157	0.353
Ratio	-	3.1	0.9	0.5	1.2

#### Force - Non-Compliant Handcuffing

	White	Black	Mixed	Asian or Other	BME
Number	1804	287	90	98	475
Population	969501	27287	30981	63713	121981
Rate	1.861	10.518	2.905	1.538	3.894
Ratio	-	5.7	1.6	0.8	2.1

#### Force - Other

	White	Black	Mixed	Asian or Other	BME
Number	252	49	13	18	80
Population	969501	27287	30981	63713	121981
Rate	0.260	1.796	0.420	0.283	0.656
Ratio	-	6.9	1.6	1.1	2.5

#### Force - Other Improvised

	White	Black	Mixed	Asian or Other	BME
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<b>Number</b>	712	92	38	48	178
<b>Population</b>	969501	27287	30981	63713	121981
<b>Rate</b>	0.734	3.372	1.227	0.753	1.459
<b>Ratio</b>	-	4.6	1.7	1.0	2.0

#### Force - Tactical Communications

	White	Black	Mixed	Asian or Other	BME
<b>Number</b>	2876	416	125	174	715
<b>Population</b>	969501	27287	30981	63713	121981
<b>Rate</b>	2.966	15.245	4.035	2.731	5.862
<b>Ratio</b>	-	5.1	1.4	0.9	2.0

#### Force - Unarmed Skills

	White	Black	Mixed	Asian or Other	BME
<b>Number</b>	2079	277	78	105	460
<b>Population</b>	969501	27287	30981	63713	121981
<b>Rate</b>	2.144	10.151	2.518	1.648	3.771
<b>Ratio</b>	-	4.7	1.2	0.8	1.8