

 West Mercia POLICE		POLICY
Security Classification	OFFICIAL	
Disclosable under Freedom of Information Act 2000	Yes	

POLICY TITLE	Police Use of Force
POLICY REFERENCE NUMBER	WMP183
Version	1.1

POLICY OWNERSHIP	
DIRECTORATE	LOCAL POLICING
BUSINESS AREA	FORCE OPERATIONS

IMPLEMENTATION DATE	January 2022
NEXT REVIEW DATE:	April 2023
RISK RATING	HIGH
EQUALITY ANALYSIS	LOW

West Mercia Police welcome comments and suggestions from the public and staff about the contents and implementation of this policy.
Please e-mail policiesandprocedures@westmercia.police.uk

1.0 POLICY OUTLINE

Background:

- 1.1 This policy outlines the core principles relating to the use of force. These general principles provide the foundation for the governance, the application, reporting, investigation and review of use of force. West Mercia Police recognises that officers will face unique and challenging circumstances not specifically addressed in this policy. Officers are expected to apply these core principles reasonably in unanticipated situations in ***or to Protect People from Harm***
- 1.2 Police officers are frequently required to deal with potentially violent situations and may need to use force when making some arrests, restraining uncompliant subjects or controlling a hostile demonstration.
- 1.3 Police are required to justify any use of force, showing that it was proportionate and legal, and that there was, at the time, an absolute necessity, particularly where potentially lethal force is used. Available less lethal technologies work in different ways and each may offer unique advantages in specific circumstances.
- 1.4 The law recognises that there are situations where police officers may be required to use force. The primary responsibility for using force rests with individual officers, who are answerable to the law. All uses of force must be proportionate, lawful and necessary in the circumstances. Officers will be accountable for all instances where force is used.
- 1.5 The National Decision Making Model (NDM), contained within APP sets out the process by which a measured and appropriate response can be made to any situation involving conflict. The police use of force is governed by:
 - Common Law
 - Section 3 Criminal Law Act 1967
 - Section 117 Police and Criminal Evidence Act 1984
 - The Human Rights Act 1998
 - Section 76 of the Criminal Justice and Immigration Act 2008
- 1.4 Nothing in this policy overrides the fundamental duty of police officers to protect life in accordance with the law and the European Convention on Human Rights.

2.0 PURPOSE OF POLICY

- 2.1 This policy applies to all Police Officers, Special Constables, Police Community Support Officers (PCSOs) and Detention Officers (DOs)
- 2.2 West Mercia Police train its officers in personal safety tactical options. These do not constitute a hierarchy of lawful force and should be viewed as a range of approved options from which the most proportionate and appropriate should be selected,

according to individual circumstances, in order to protect themselves and the public from harm.

- 2.3 Officers must continually assess the situation and changing circumstances, and modulate the use of force appropriately.
- 2.4 Strategic governance is provided by the Assistant Chief Constable (Local Policing) who is supported at a tactical level by Head of Operations.
- 2.5 A record must be completed as soon as practicable and preferably within the tour of duty the force was used. It is the responsibility of the officer to complete their own use of force record. One must be completed for every time force is used on a person. If force is used on more than one person, a new report must be complete for each person on whom force was used. All force from and including compliant handcuffing will be recorded.
- 2.6 A record must be completed for all situations where force has been used over a period of time against person(s) not subsequently apprehended, for example public order. It is accepted that there may be occasions where there is a lack of detail in such circumstances.
- 2.7 West Mercia Police recognises the magnitude of the responsibility that comes with the authority to use force. This responsibility includes maintaining vigorous standards and transparent oversight systems to ensure accountability to the community in order to maintain their trust. This includes:
 - Objective review and analysis of all incidents of reportable force
 - Complaint procedures
 - Regular consultation with Independent Advisory Groups.
- 2.8 West Mercia Police will publish quarterly use of force data. This will not effect information to be obtained through a Freedom of Information request.

3.0 IMPLICATIONS of the POLICY

- 3.1 This policy has been drafted in accordance with the Human Rights Act 1998, Equality Act 2010 and the principles underpinning it. It is suitable for public disclosure.
- 3.2 **Training Implications**

Training follows the nationally approved Self Defence and Restraint (SDAR) manual. Officers are required to attend refresh accreditation dates that vary according to role.
- 3.3 This policy complies with current legislation

4.0 AUTHORISED PROFESSIONAL PRACTICE (APP)

This policy is written with cognizance to the following APP:

- Detention and custody - Control, restraint and searches.
- Armed policing- Use of force, firearms and less lethal weapons
- Public order- Core principles and legislation

5.0 POLICE USE OF FORCE PROCEDURE

Please follow the link to the Police use of Force Procedure

<i>Business Lead Consulted</i>	<i>Date Consulted</i>
Supt Operations	April 2022

6.0 DOCUMENT HISTORY

Date	Author / Reviewer	Amendment(s) & Rationale	Approval / Adoption
		Previously approved at JNCC meeting	JNCC 07/11/2017
Jan 2022	K Monaghan	Reviewed – minor amendments made, now a West Mercia document	Jan 2022
Apr 2022	K Monaghan	Minor change to 3.0 in procedure, due to recent HMICFRS Custody report v1.1	April 2022

7.0 ASSESSMENT AND ANALYSIS

An Equality Analysis (EA), Health and Safety Assessment (HAS) and Risk Assessment (RA) are available on a separate document.

8.0 MONITORING / EVALUATION

The monitoring and review of this policy is the responsibility of the policy owner.