

# PLANTER – reducing disproportionality in police use of force

A toolkit for use by community scrutiny panels when assessing body worn videos to establish if the correct level of force was used, then provide officers with consistent and constructive feedback.

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## Key details

Does it work?	Promising
Focus	Organisational
Topic	Community engagement Criminal justice Diversity and inclusion Ethics and values Leadership, development and learning Operational policing Organisation including workforce Violence (other)
Organisation	Att10tive
Contact	Montell Neufville
Email address	<a href="mailto:att10tive@gmail.com">att10tive@gmail.com</a>

## Key details

<b>Region</b>	Eastern
<b>Stage of practice</b>	The practice is implemented.
<b>Start date</b>	April 2021
<b>Scale of initiative</b>	Regional

## Aim

PLANTER is a scrutiny panel assessment matrix used for independent community scrutiny panels to make a judgement on whether force used was proportionate, necessary and reasonable.

In the view of the assessing panel:

- P – was the amount of force used proportionate for the risk faced by the officer?
- L – was the length of time the force used acceptable? (For example, if it was necessary to hit a subject, did the officer continue to strike even once the threat was removed?)
- A – did the actions of the member of the public warrant force to be used?
- N – was it necessary to use force to protect the officer or members of the public in that situation? An example could be if a person was restrained and handcuffed, using PAVA wouldn't be necessary
- T – was the type of force used the minimum appropriate level to achieve compliance?
- E – was it ethical to use force in the situation? If the person was already restrained and the threat removed was force still used.
- R – was it reasonable for the officer to use force? This is an overall assessment

The aim of PLANTER is to ensure that officers:

- implement their use of powers with impartiality, integrity, and fairness
- are proportionate in their actions
- use ethical values
- demonstrate transparency and accountability

## Intended outcome

PLANTER intends to address:

- disproportionality in use of force
- unfairness in amount of force used
- officers using the wrong type of force (excessive force)

The intended outcomes are:

- a reduction in disproportionality across use of force, amount of force and type of force
- better monitoring of the performance of individual officers and teams
- ensuring scrutiny panels and community members are fair and consistent in holding officers to account for use of force

## Description

Initial research was carried out into:

- disproportionality in use of force
- the discharge of Taser
- low levels of confidence in the police, particularly within the black community
- where officers do well with the use of force – what did they do?

This research looked at a range of both good and problematic policing practice. The research identified a number of concerns around use of force. In particular:

- the use of force training officers receive can be very basic
- there can be little oversight over use of force on members of the community
- members of the community may not be aware what to look out for in terms of good and bad practice
- there is the need for a feedback loop for officers on alternatives to the use of force

## About the toolkit

Consequently, a toolkit was devised by an independent organisation, Att10tive.

The toolkit is a guidance document that supports community scrutiny panels to determine how the use of force by police officers is assessed. The toolkit highlights:

- individual behaviour
- policing teams and units who use their powers disproportionately

The toolkit uses the acronym PLANTER (proportionate, length, action, necessary, type, ethical, reasonable). It facilitates action to be taken to address disproportionate behaviour with use of force.

For individual officers, this could represent management action depending on the type of behaviour. The panel could recommend:

- supervisory feedback and monitoring to ensure the advice has been taken on board
- feedback and retraining
- a referral to professional standards for potential investigation for misconduct

For policing teams and units who use their powers disproportionately, managers (usually at superintendent rank and above) aim to:

- understand why some of their officers and teams are using various types of force – in particular Tasers and PAVA spray – more than their colleagues
- manage and report on the reasons for this

This enables a more equitable treatment and service to be provided.

## Coding system

Scrutiny panels can use the toolkit to allocate a coding system.

- If the force used was adequate and necessary – Green 1.
- Adequate and necessary but a few words of advice – Green 2 and 3.
- Officer needs to be retrained or receive advice due to the type of force used, the amount of force used, or that the force applied was for too long – Amber 4, 5 or 6.
- Force should not have been used or was unnecessary, or the actions of the member of the public did not warrant force to be used – Red 7.
- A referral for possible misconduct should be made, and the force was unethical, discriminatory, or otherwise of great concern to the scrutiny panel – Red 8.

At the start of this project there were 30 green, 40 amber and 30 red. There are now 60 green, 30 amber and 10 red.

## Overall impact

The overall impact of using PLANTER has been a higher level of trust and confidence from members of scrutiny panels who are reassured that police officers need to follow fair open and transparent processes even when using force. This includes using the minimum force required, being proportionate and managing risk to protect life, property other people from harm and other police officers.

This toolkit has resulted in:

- improved openness and transparency between the police and the public
- greater understanding within policing on the level or type of force to use and how long they should apply the force for
- an increased understanding of what it means to be ethical
- a review of children aged 10 or under that have had force used against them
- the learning that the disproportionality of force does not occur across the whole of policing but is a small number of officers. This learning has helped improve the public's trust and confidence in the police as it debunks the myth that all police use powers disproportionately
- the force being facilitated to address and deal with the minority of officers who use their powers disproportionately
- Att10tive rolling the toolkit out across the country to other scrutiny panels
- the toolkit being shared with third sector organisations
- the toolkit being promoted by local media, including radio programmes and local newspapers

## Supportive evidence

Force leads updated that they had changed the data sets several times and the methodologies for calculating them. At this moment they haven't been consistent, so the data wouldn't be reliable.

A booklet has been created, which includes positive feedback from several participants and partners. This is available from the practice contact.

## Learning

- Police officer training needs to be more focused on using their voice rather than force to achieve de-escalation. There also needs to be increased emphasis on officers using the least amount of force possible to achieve the desired outcome.
- Supervision is key. This facilitates identification on where the problems exist within the team and therefore allow allocation of better performing officers to assist those making decisions that undermine the public's trust and confidence in the police to improve their behaviour and decisions.
- When force is used there is a tendency to look at individual officers, but it should be looked at from the perspective of members of the public, as there is a need to be user focussed. For example, a member of the public will often be restrained or have force used by more than one officer. Sometimes two, three, four or more. Rather than just looking at one of the officers, it's important that all of those who take part are assessed.
- During implementation several critical dependencies were identified, specifically:
  - the need for the force chief officer team's unequivocal support and clear empowerment for the panel members
  - the protection and prioritisation of the panel's meeting dates and times, avoiding regular rescheduling for non-urgent reasons
  - ensuring that a comprehensive communications plan is agreed to make all force teams aware of the panel's function. This was particularly important with departments such as the Professional Standards Department, who needed to respond positive to any officer interventions assessed as 'Red'
  - although time and capacity is often restricted, ensuring that there was a complete feedback loop between the panel and officers