

The many discussions of police use of force



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Introduction

British police forces in the United Kingdom are unarmed, patrolling officers carry baton, speed-handcuffs and incapacitate spray. However, some units carry sub-machine guns and protective clothing on the international airports.

Police use of force is a controversy subject of many discussions and it can create social conflict. Citizens want the police to be able to protect them against criminals, crime and violence by use of force. The fear of use of force and abuse of authority by the police will challenge freedom and basic human and civil rights. It also threatens characteristic and priceless value to British traditional 'policing by consent' (Waddington and Wright 2008, Waddington 1991, Waddington 2003 and Waldern 2007).

To answer the workshop report question it is necessary to state that the above quote 'The police are the custodians of the state's lawful monopoly of force/coercion' comes from Waddington's book 'The strong arm of the law', published by Clarendon Press in 1991.

Main body:

Background information:

Policing and police forces in England and Wales differ to the policing style in Scotland and Northern Ireland. The start of policing was seen in 1829 in London established by Sir Robert Peel (Waddington 2003 and Palmer 1988).

The police officers were armed at the beginning when the famous Bow Street Runners carried weapons. However, Peel insisted on creation of the 'New

Police'. It would include British police officers who are seen as 'citizens in uniform', that means that they have more powers than citizens when they are in uniform, but they are equal when off duty. Also they were dressed in a non-military style and their presence was highly visible in the community (Waddington and Wright 2008 and Waldern 2007).

Police use of force and coercion:

Police officers always must justify their use of force and it must be necessary and proportionate to the situation and danger. The force must aim and be targeted at the specific offender (Harlow 1974, Ashworth 1975 and Waddington 2003).

The Metropolitan Police Service has its firearm department, called CO19 (known over the years as D6, D11, PT17 or SO19). Arms Police carry various combinations of weapons, including carbines, rifles, baton guns, pump-action shotguns and tasers.

Coercion is a way of reaction and practice when forcing the public to behave in an involuntary conduct. Those actions and practices can be accomplished by use of threats, intimidation, forms of pressure and force or use of torture as the most extreme methods (Police 2009, Waddington 1991).

Previously, the military was the exclusive state's custodians of force. Due to the growth of the nation's multiculturalism and citizenship, the police developed into the core institution to establish compliance between the state's lawful monopoly and the citizens (Marshall 1950, Tilly 1995 and Waldern 2007).

'Shoot to kill' policy:

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Police officers use of lethal force is the last resource, to 'eliminate the threat' and it does not mean 'shot to kill', although it aims to stop an imminent threat to life.

The practice and recommendations when using lethal force in relation to terrorists was to aim at the torso, which is the biggest part of the body. From the other hand, it mostly causes fatal injuries to the terrorist suspect. It was replaced with the recommendation to use firearms as the last resource in self-defense cases.

The counterpoint can be argued that the bomb placed on the chest and can be detonated when shot. That can clarify the actions of some armed police officers (e. g. shooting of Jean Charles de Menezes on 22/07/2005) who 'shot to incapacitate' by multiple shots to the head of a suspected suicide bomber. Shooting in such a way intends to guarantee immediate 'flaccid incapacitation' of the brain stem. The main principle of shooting to incapacitate is not to kill however to accomplish instant incapacitation (ACPO 2005, Amnesty International 1988, Asmal 1985, Kennison and Loumansky 2007, Mainwaring-White 1983, Squires and Kennison 2010 and Waldern 2007).

'Policing by consent':

Policing by consent is the relationship between police and community based on agreement. Community needs to respect and follow actions, tasks and routinely police work in return of detection and protection from crime. British police officers stay unarmed to uphold Queen's Peace.

The term of 'policing by consent' can be confusing because police officers operate as members of the legitimate authority, custodians of the state. The police officer may ask the suspect to remain calm, answer few questions and stay with the police officer. The suspect may refuse the follow officer's instructions, which will probably result in the suspect being arrested. The suspect did not consent to being arrested but wanted to leave, the police powers of arrest allow the police officer to act against suspect's will and detain the suspect.

The public's compliance can be achieved by informing the public what to do. In case if they refuse and do not comply, police officer can force them to compliance (Police 2009 and Waddington 1991).

Legislations:

Those documents give the police powers to use force as a custodians of state's lawful monopoly.

Police and Criminal Evidence Act 1984

Gives powers of arrest, search a person/vehicle without first making an arrest, search premises, seize and retain property found on premises/persons, the requirements for the detention, treatment and questioning of people in the custody, recording of interviews, methods used during the investigation and deals with the detention of terrorism suspects (Home Office 2010).

Human Rights Act 1998, Article 2

Protects right to life and states the use of lethal force by police should be necessary and proportionate (The National Archives 2010 and Waddington and Wright 2008).

The ACPO Manual of Guidance on Police Use of Firearms

The police officers may use force only when strictly necessary and to the extent required to perform their duties (ACPO 2005).

Criminal Justice Act 1967, section 3

Any person may use reasonable force in prevention of crime or assisting during the lawful arrest for lawful purposes (Waddington 1991 and Waddington and Wright 2008).

Common Law

Police officers and citizens share a right to defend themselves and the duty to maintain Queen's Peace (Waddington and Wright 2008).

Conclusion:

The law in United Kingdom allows police officer to use reasonable force to make an arrest, to prevent crime from happening or in case of self-defense. The use of fatal force needs to be justified that the force used during the given circumstances was not more than absolutely necessary. The above picture created public concerns and nervousness about the issue of usage of the ' minimum force' and style of policing based on coercion. The police have authorization by the law to achieve compliance from the public by usage of coercion. As mention earlier, policing by consent and coercion created the <https://assignbuster.com/the-many-discussions-of-police-use-of-force/>

dilemma, due to the public's expectation, norms and values and the methods of policing.

The armed officers are allowed only to shot to stop an imminent threat to life.

Police officers need to take a responsible decision when planning to shoot a firearm.

The officer must be convinced of the indisputable need to fire a gun in order to protect life, the rational nature of the force that they will use, and the insufficiency of any other option.

The force used by police as the custodians of the state's monopoly of force can only be used against citizens who breach the peace and break the law

The formation of an unarmed and civil police force is the mark-point of the British police tradition. It resulted in the establishment of the state's lawful monopoly for force.

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