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PC dismissed for gross misconduct

A PC who used unreasonable force against a vulnerable member of the public has been dismissed after gross misconduct was proven against him.

PC Benjamin Kemp, based at North East Command Unit, attended a misconduct hearing to answer allegations that his conduct amounted to a breach of the Standards of Professional Behaviour in respect of use of force and authority, respect and courtesy.

On Wednesday, 8 May 2019, police were called after a teenage girl aged 17 ran away from a group on escorted leave from a mental health unit in Newham. A passing police car was also flagged down.

The situation escalated and PC Kemp used force against the girl, including CS spray, handcuffs and a baton. More officers arrived and the girl was Tasered by another officer and subsequently put into a police van before being returned to her carers.

A third party complaint was received on Monday, 13 May relating to the force used by officers. This complaint was assessed by the Met's Directorate of Professional Standards and a voluntary referral made to the Independent Office for Police Conduct who began an independent investigation.

The IOPC recommended misconduct proceedings should be brought against PC Kemp; the DPS reviewed the matter and determined the matter was so serious a gross misconduct hearing should be held.

Having carefully considered all the evidence, the panel, led by an independent legally qualified chair, determined on Friday, 30 April that all matters were proven against PC Kemp and he was dismissed without notice. He will also be placed on the College of Policing barred list

The hearing was held in private due to the wishes of the girl's family.

Chief Superintendent Richard Tucker, who leads policing for the North East, said: "This is a very serious matter with utterly inappropriate use of force used against a vulnerable teenage girl.

"The use of force by any police officer must be proportionate and justified and we are trained to use it in a way that keeps everyone involved safe. PC Kemp did not behave or use his equipment in accordance with his training; he over-reacted, used excessive force in a very disproportionate manner and was unprofessional. For that he has been held to account, and has been rightly dismissed from the service. I can assure you his actions are not representative of how we deal with situations like this in Newham and across London.

"On behalf of the Met, I apologise to the young woman and her family for how he behaved and to London's wider communities for the impact this case undoubtedly has on the trust and confidence they have in how we police London. They and the people of London rightly expect the highest standards from their officers and on that day PC Kemp let everyone down.

“The Met are called many thousands of times each year to mental health related incidents and we respond to help those at their most vulnerable, saving lives and preventing serious injury. In the vast majority of these cases police do a very difficult job with great compassion and sensitivity, responding to what are essentially medical emergencies. Our work is so important here and we are sincere about our desire to learn and develop and continually review our policies and procedures and our work with partner agencies to see what more we can do to help those most in need at times of crisis.”

Following the IOPC investigation, a second PC was subject to management action by way of learning for the lack of respect and courtesy shown to both his colleagues and the girl. He had no case to answer around use of force re the Taser. A third PC was given the opportunity to debrief the incident for her individual learning.

As part of their investigation, the IOPC made learning recommendations that the MPS should work closely with all London mental health trusts around issues such as joint mental health training and to establish a working relationship protocol around how police respond to incidents involving mental health issues.

These are things the Met does already and in recent years we have made enormous progress in how we deal with mental health, learning from individual incidents and working closely with partner agencies. This includes officers consulting with medical practitioners when they are at any mental health related incident using a dedicated single advice line that provides access to each of the nine mental health trusts across London. We are working with NHS improvement to develop a ‘111 hub’ that would be the first point of contact for those in crisis, (as an alternative to 999) and allow mental health professionals to provide 24/7 advice to police.

Mental health incidents are among the most challenging type of incidents an officer will face due to their fast-moving and unpredictable nature. MPS officers receive eight days of public and personal safety training, plus emergency life support training, when they join the service followed by mandatory yearly development training. This yearly training includes updates on the latest expert advice around a range of mental health related issues as well as physical assessments of the officers' skills, including handcuffing and restraint techniques.

All officers have access to a mental health toolkit on policy and guidance and throughout 2019 and 2020, the Met delivered a comprehensive one-day mental health training package to 10,500 frontline officers and staff.✕This training was developed with input from mental health professionals and people who have experienced mental health difficulties and included the voice of the service user, legislation, lessons learnt including encouraging officers to adopt the 'contain not restrain' policy for those experiencing mental health crisis and tested learning through scenarios that reflected real-life situations that officers might face. A new multi-agency training initiative is in development.

The Met now has Mental Health Teams within all Basic Command Units. The teams' roles include working with partner agencies around prevention, early intervention and problem solving to lessen the chance of mental health service users coming into contact with police.✕