

IN THE MATTER OF THE POLICE (CONDUCT) REGULATIONS 2020

Decision of the Misconduct Panel In respect of PC Richard WILLIAMS

Background

1. The background to the case arises out of an investigation carried out by the Independent Office for Police Conduct (IOPC) into an allegation that PC R Williams used excessive force on Mr Stephen Clark whilst effecting an arrest for common assault on 10 May 2023.
2. On 10 May 2023 PC E Williams and PC R Williams attended at the home of the ex-partner of Mr Clark. Mr Clark's ex-partner alleged that Mr Clark had attended at her home that morning "off his face" on cannabis and amphetamine and had tried to "go for her". The approximately 10-year-old child of the couple had come between them and managed to get Mr Clark to leave the property. The child was very distressed and crying and was unwilling to speak to the officers about what had happened. When leaving the property that morning it was alleged that Mr Clark had spat at the window and on the previous day had tipped a tin of paint in the garden.
3. When completing domestic violence (DASH) screening questions with PC E Williams, Mr Clark's ex-partner disclosed she was frightened of Mr Clark returning to the property. She also disclosed that he had previously held a knife to her throat. The officers were also told that Mr Clark had mental health problems because of the drug taking.
4. Following this information gathering, a decision was made to locate and arrest Mr Clark for the offence of common assault. The officers located Mr Stephen Clark at 11.51 and he was arrested and cautioned in a front garden of a friend's house. At this point, PC R Williams placed one handcuff on Mr Clark's left wrist

and requested on two occasions that Mr Clark give him his right-hand so that both hands can be cuffed to the front. Mr Clark was holding his mobile telephone and his socks in his right hand at this stage.

5. After attempting to handcuff Mr Clark it is alleged that PC R Williams twisted the handcuffs on the left wrist to cause pain and bring Mr Clark to the ground. Mr Clark and both officers end up on the ground with Mr Clark initially on top of PC E Williams. PC R Williams held Mr Clark in a headlock and then a short time later Mr Clark is punched by PC R Williams nine times to the head/face area.
6. Whilst Mr Clark is on the ground PC R Williams continued to attempt to secure the handcuffs and captor spray is deployed by him on two occasions which is alleged to be an excessive use of force.
7. Attempts continued to apply the handcuffs which are ultimately successful following the assistance of an off-duty police officer former PC Allman. Mr Clark was locked in the handcuffs to his rear and walked a short distance to the police vehicle. While officers were trying to securely place Mr Clark in the vehicle, PC R Williams deployed captor spray on a further two occasions.
8. As a result of the incident, Mr Clark sustained facial and bodily bruising and cuts to his wrists.
9. The IOPC report was finalised in November 2023. There was a criminal trial of PC Williams in relation to the allegations concerning the headlock and the 9 punches. In May 2025 PC Williams was acquitted of an offence of intentional strangulation relating to the headlock and an offence of assault occasioning actual bodily harm relating to the punches.
10. The Appropriate Authority's allegations are set out in the Regulation 30 Notice. In summary PC Williams is alleged to have breached the following Standards of Professional behaviour, Use of Force, Authority, Respect and Courtesy and

Discreditable Conduct in relation to 8 separate incidents of his use of force during the arrest of Mr Clark.

11. PC Williams in his Regulation 31 response broadly accepts that he used force as alleged in relation to the headlock, punches and use of captor spray. However, he denies that the force was unreasonable in the circumstances. PC Williams also denies as a matter of fact that he used the handcuffs and twisted them in order to cause pain to Mr Clark or that he dropped or threw Mr Clark into the police van.

Panel's Approach

12. The Panel reminded itself that the burden of proving the allegation rested upon the Appropriate Authority throughout. PC Williams does not have to prove anything and, by giving evidence on his own behalf, he did not adopt any burden of disproving the allegation. The Panel bore in mind that the standard of proof in these proceedings is the balance of probabilities and, whilst there is no sliding scale, when an allegation is as serious as that before the Panel it was right for the Panel to look for cogent evidence to support the allegation in order to find it proved. This was all the more significant in light of the unchallenged evidence of positive good character which the Panel was satisfied demonstrated that, if found proved, PC Williams' conduct would be out of character.
13. The Panel had regard to all of the evidence adduced in the case including the agreed bundle of documents, the character evidence produced in support of PC Williams, the body worn footage taken by the officers at the scene and the mobile phone footage taken by a member of the public. The Panel was also assisted by and the oral evidence of Mr Clark, PC E Williams, Former PC Allman, PC Iles and PC R Williams.
14. The Panel carefully considered the submissions of Counsel for the Appropriate Authority and Counsel for PC Williams.

General issues.

15. Before making findings on the specifics of each allegation the Panel considered the initial impact factors relating to the arrest of Mr Clark that it considered were supported by the evidence before it. The Panel was greatly assisted in this regard by the footage of the initial interview with Mr Clark's ex-partner and the analysis of PC R Williams and PC E Williams given in their oral evidence.
16. The Panel considered that it was clear that Mr Clark's ex-partner had made a complaint of assault. There was information that Mr Clark had been at the property that morning under the influence of drugs and been pushed out of the property by the couple's approximately 10-year-old child. The child was distressed and crying. PC Williams was made aware by his former partner that Mr Clark had a propensity for violence and had previously held a knife to her throat. The information from the ex-partner suggested that Mr Clark was unreasonable and volatile and had a propensity to violence. There was information that he was currently under the influence of drugs, had possible mental health difficulties and was living in a friend's outbuilding. Mr Clark's ex-partner stated that she was frightened that he might return.
17. The Panel considered that these factors were credible and gave rise to a high-risk situation as Mr Clark was potentially armed with a knife, under the influence of drugs and could be violent. PC Iles agreed in his oral evidence that these factors would suggest a high-risk situation. The Panel considered this context when considering the initial applications of force. The Panel noted that there was no challenge to the decision that the arrest of Mr Clark was both necessary and lawful.
18. The Panel had regard to the character evidence provided by PC Williams. It noted that there was no evidence that PC Williams had ever been involved in any disciplinary hearings during his 20-year police career. The character evidence before the Panel was that PC Williams was calm under pressure and that he was proportionate and measured in his dealings with the public.

19. The Panel did not consider there was any factual dispute relation to paragraphs 1 and 2 of the Allegation. Further, it was not suggested that these paragraphs amounted to a breach of any of the Standards or Professional Conduct and were background facts. The Panel therefore made the following findings:

Allegation 3 – Having placed one handcuff on the compliant Mr Clark you then used unreasonable force on him in any or all of the following ways (...)

- a) **At 11.52.56 you used the handcuffs to cause pain to Mr Clark on his left wrist.**

20. The Panel considered that from the outset Mr Clark was not compliant. Initially he allowed the handcuff to be placed on his left hand but almost immediately he began to resist the officers attempts to secure the handcuff onto his right wrist. The Panel noted that the footage demonstrates that Mr Clark does not listen to any of the verbal instructions to provide his right hand. The Panel considered the footage demonstrated that Mr Clark kept pulling his hand away from PC E Williams and refused to hand her his mobile telephone despite her requests.
21. The Panel also noted that Mr Clark was not standing still and attempting to move forward. The Panel noted Mr Clark's clear evidence both orally and in writing that he expressly told the officers to cuff him to the front because of the injury to his arm. It is clear from the footage that he never said this. Mr Clark was asked by the Panel why he did not give his hand to PC R Williams when requested so that he could be handcuffed to the front. Mr Clark was unable to answer and stated he did not know. The Panel considered that it was clear from the outset that Mr Clark was not complying with verbal instructions, was actively attempting to resist the application of handcuffs and was attempting to control the situation by asking to sit on the bench to put his socks on.
22. The Panel accepted the evidence of PC R Williams that in saying to Mr Clark "don't tell me what I am doing" that this was a legitimate way of conveying to Mr Clark that he was in control of the situation and an accepted part of the training of Police Officers. The Panel did not consider that PC Williams' tone of voice or body language suggested irritation or frustration with Mr Clark. The Panel noted that PC R Williams had initially said, "bring your other hand round to the front" and when Mr Clark said he could not because it was broken PC E Williams said, "OK, slowly then" which the panel considered was reasonable. The Panel considered that Mr Clark could have been in no doubt what was required of him. The Panel noted that PC R Williams said another three times to Mr Clark "give me your hand" and he failed to do so. Mr Clark at this stage

did not hand over his mobile telephone and did not comply with any verbal instruction given by either PC E Williams or PC R Williams.

23. The Panel considered the footage, the transcript and the oral evidence demonstrated that Mr Clark was not complaint from the outset. He was not doing what was clearly asked of him and was seeking to distract and dictate the actions of the officers. The Panel considered that this resistance was another impact factor.
24. The Panel considered as a matter of fact whether Mr Clark was caused any pain by the application of the handcuffs. The Panel noted the footage shows Mr Clark wince in pain and cry out stating "I've broke my arm one with this one" The Panel considered that the footage appeared to suggest Mr Clark was gesturing and referring to his left arm.
25. The Panel has not been provided with Mr Clark's medical records however it noted the following contained within the IOPC investigation report,

"Mr Clark's hospital records from 10 May 2023 show that he reported pain to his eye, chest, left forearm and right wrist. The notes show that he underwent a CT scan from head to chest, and x-rays of his left forearm and right wrist. The notes show that Mr Clark was found to have no new fractures, and his only diagnosed injury was extensive bruising around his left eye. It was noted that he had an old fracture to his right scaphoid bone (the scaphoid is one of eight small bones that make up the carpal bones of the wrist)."

Mr Clark's initial evidence to the IOPC was that he was taking amitriptyline for the pain in his arm following a motorbike accident he suffered a year before this incident. Mr Clark stated,

*"I've had a plate put in place, erm, pins put in place. Erm, I've had to go back into hospital cos I was working in Harlech(?) Frozen Foods at the time and I fell in the freezer and I bent the pin or something and they've had to take some of the things out.
So other than that, I don't know what structure I've got left in my arm."*

In his oral evidence to the Panel Mr Clark stated he had pins and plates in his arm, he had no strength in his arm and he couldn't hold anything properly. He was awaiting surgery because of "fusion" as his bones were grinding away.

26. The Panel could not be satisfied that Mr Clark's complaints of pain were genuinely as a result of the application of the handcuffs to his left wrist. The Panel considered the footage very carefully and the evidence of both PC R Williams and PC E Williams who stated clearly that the handcuffs were not twisted and that there was nothing that was being done that would cause Mr

Clark any pain. The Panel could not identify any twisting motion or any movement by PC R Williams on the footage that would support this allegation.

27. The Panel considered that it was more likely that Mr Clark was feigning significant pain as a manipulation technique to resist the application of the handcuffs. The Panel considered that Mr Clark was inconsistent in the footage and his oral evidence about which arm had been broken and which arm was in pain. There was no “pulling” of his right arm by PC E Williams, as Mr Clark suggested. The Panel noted that Mr Clark’s right arm can clearly be seen in the footage as Mr Clark is attempting to speak to someone on the telephone.
28. The Panel also noted the evidence of Ms Humphreys who stated Mr Clark was “whining” and her perception was that he was “being dramatic” and his actions reminded her of a child who didn’t want to go to school. The Panel was not satisfied that there was sufficiently cogent evidence to demonstrate that PC R Williams twisted the handcuffs in order to cause pain to Mr Clark or that Mr Clark’s exclamations of pain were as a result of anything done by PC R Williams. The Panel therefore found this paragraph of the allegation not proved.

3b) At 11.53.10 you placed Mr Clark in a headlock on the ground and kept him in a headlock for approximately 36 seconds.

29. It is noted that it is not denied that PC Williams did place Mr Clark in a headlock but the issue for the Panel is whether this was a reasonable use of force in the circumstances.
30. The Panel considered it was necessary for it to make a factual determination about how Mr Clark and both officers ended up on the floor as it was relevant to the reasonableness or otherwise of the headlock.
31. The AA’s case is that PC R Williams twisted the handcuffs and performed a “handcuff takedown” of Mr Clark. In doing so, Mr Clark fell forward and on top of PC E Williams.
32. The Panel does not accept that this is supported by the evidence. The Panel noted Mr Clark’s evidence that he was “thrown to the floor” by PC R Williams. Mr Clark clearly stated this on the footage and repeated this in his evidence to the IOPC and the Panel.

33. PC E Williams stated that Mr Clark effectively “rugby tackled” her by driving forward into her with his body. PC E Williams’ evidence was that this was deliberate and she was shocked. PC E Williams stated that this was why she stated “fucking twat” under her breath when she was knocked to the ground.
34. PC R Williams stated that Mr Clark pushed away from him and into PC E Williams and it can be seen from the footage that PC Williams lost his grip on the handcuff. The Panel considered this loss of grip was consistent with the movement of Mr Clark being sudden and deliberate rather than a planned handcuff takedown.
35. The evidence of Mr Parry was that Mr Clark pushed into PC E Williams. In addition, on the mobile phone footage Ms Humphreys is recorded as saying “Oh my God fucking twat bach” at the time at which PC E Williams is knocked to the ground. This is consistent with PC E Williams statement in similar terms which would suggest that it was a deliberate action on the part of Mr Clark.
36. The Panel gave considerable weight to the evidence of PC R Williams when he stated that this development had increased the risk significantly. There was now serious physical resistance. Mr Clark has not been searched and potentially has a weapon on his person. In addition, the loose handcuff is a potential weapon which could cause serious injury. The Panel agreed with the assessment of PC R Williams that in these circumstances it would increase the risk level further if Mr Clark was able to get to his feet. The Panel considered that it was reasonable for PC R Williams to attempt to restrain Mr Clark on the ground.
37. The Panel considered that holding Mr Clark in a headlock was not ideal but that it was the first part of the body that PC Williams was able to get hold of. The Panel accepted PC R Williams evidence that he was unsure where PC E Williams was at this point in the confusion. In addition, there was no challenge to the fact that although a call for assistance was subsequently made, it would be some time before other officers arrived given the availability of resources in that area.

38. The Panel considered that the footage demonstrates continued non-compliance on the part of Mr Clark. The Panel is satisfied from the footage that Mr Clark is actively trying to get up and get away from PC Williams. This is supported by the consistent accounts of PC R Williams about what was happening whilst he was on the ground. The Panel noted that Mr Clark can be seen in the footage pushing his entire body up with his right arm which he had previously stated had no power and was hurting. The Panel considered that the footage suggests Mr Clark is pushing with considerable strength and is attempting to lever himself up using his arm and get away from PC Williams. The Panel was not persuaded that the footage demonstrated PC Williams was pulling at Mr Clark's neck or that Mr Clark was panicking and trying to breathe and had gone "floppy". The Panel noted that PC Williams can be heard continually shouting instructions to Mr Clark to behave and the overall impression of the Panel when watching the footage was that PC Williams was struggling to try to keep control of Mr Clark.
39. The Panel also noted this is supported by the evidence of PC E Williams who, at this point was attempting to prevent Mr Clark from kicking out by pinning his legs with her body. Her evidence was that Mr Clark was continuing to resist during this time, that he was strong, and continuing to kick out and she was struggling to keep control of him.
40. In the context of the recent shove to the ground of PC E Williams together with the added concern that the loose handcuff is a potential weapon the Panel considered that although not optimal, PC R Williams had no other options in a fast-moving situation that was unfolding on the ground. The Panel noted the evidence of PC Iles that although this tactic is not taught, it does not necessarily follow that it cannot be used if it is reasonable in the circumstances.
41. The Panel considered that it was noteworthy that PC R Williams uses the time that Mr Clark is in the headlock trying to calm him and requesting he behave so that he can safely release his hold. The Panel accepted PC R Williams account that he did not want to prolong the headlock and continued use of the shouted instruction to "behave" was in the Panel's judgement consistent with this intention. The Panel did not consider that there was any evidence that PC Williams used the headlock as a punishment or attempted to choke Mr Clark until he lost consciousness.
42. The Panel noted that Mr Clark's evidence was that he lost consciousness during headlock and he was not resisting but struggling to breathe. However, the Panel noted that the footage showed a continuing struggle which was inconsistent with Mr Clark's contention that he lost consciousness. The Panel was not persuaded that in the light of the circumstances the headlock was an

unreasonable or excessive use of force. The Panel accepted PC R Williams evidence that this was the best he could do in the circumstances.

3c) At 11.53.35 whilst still restraining Mr Clark in a headlock, you punched Mr Clark in the head or face nine times.

43. It is important for the Panel to make clear that it recognises the video of the footage of the punches to Mr Clark's head, in isolation, appear disproportionate. However, this Panel has had the benefit of watching all of the footage which leads up to these blows and all of the footage which follows it. The Panel has also had the benefit of hearing live evidence from both of the officers who were wrestling on the ground with Mr Clark. The Panel has also seen the evidence from Mr Clark's ex-partner about her concerns which led to the decision to arrest him. The Panel has seen the photographs of Mr Clark's injuries and what he has said about his level of co-operation at that point. The Panel considered this allegation in the light of all of the evidence and what was believed by PC R Williams to be the significant risk factors of the situation at that point.
44. The Panel has given considerable weight to PC R Williams evidence that the headlock was not optimal and he wanted to change position and get Mr Clark under control quickly so as not to prolong the headlock. The Panel considered that this was a reasonable strategy and that PC Williams had recognised the inherent dangers of prolonging a headlock.
45. The Panel did not agree with the AA's suggestion that the headlock was working and so there was no reason to strike Mr Clark. The Panel considered that it was obvious from the footage and the evidence of the officers that this was not working and Mr Clark continued to physically struggle and did not respond to requests from PC R Williams to "behave" and "stop resisting" nor to repeated requests from PC E Williams to stop.
46. The Panel accept that PC R Williams was unable to reach his baton, taser or spray due to his position on the ground. In these difficult and fast-moving circumstances the Panel was persuaded that striking Mr Clark was a reasonable option.

47. The Panel noted the evidence of PC Iles that distraction strikes are taught and it was therefore satisfied that this was a reasonable option open to PC Williams to attempt to gain compliance to enable him to move out of the headlock.
48. The Panel note the position of the AA that nine strikes without any pause on the face of it could be considered unreasonable. The Panel also noted PC R Williams' evidence that he was striking with his left (non-dominant) hand and was unable, because of his positioning on the ground to place much power into each blow.
49. The Panel also noted that PC Williams was shouting at Mr Clark to "stop resisting" at the point of delivering the blows. PC R Williams evidence was that he continued with the strikes until he felt that Mr Clark's resistance had reduced.
50. There is no way to tell from the footage what PC Williams was feeling when his body was in contact with Mr Clark. However, the Panel has no reason to doubt his account of that tension and resistance that he felt from Mr Clark. The Panel accepted the evidence of PC Williams that once there was a weakening of Mr Clark's compliance he moved straight to an approved ground pin technique. The Panel noted that there were no further blows or any kicking or any other actions by PC Williams that would suggest a loss of self-control or that PC Williams was seeking to punish Mr Clark.
51. The Panel gave considerable weight to the evidence of PC R Williams which was supported by PC E Williams and the footage. The Panel noted that PC R Williams had approximately 20 years of response officer experience and has affected hundreds of arrests. The Panel considered that there was insufficient evidence that the blows were as a result of a loss of his temper and self-control. The Panel considered that there was nothing that was said by PC R Williams or that was evident from the footage that undermined his account that he was trying his best in the difficult circumstances to arrest a violent and resisting individual. The Panel therefore determined that the strikes to Mr Clark were a reasonable use of force in these circumstances.

3 d) At 11.56.13 you sprayed incapacitant spray into Mr Clark's face as he lay on the ground.

52. The Panel next considered whether it was necessary, reasonable and proportionate to use force in the form of captor spray whilst Mr Clark was on the ground. The Panel noted that at the point the spray was deployed, PC R

Williams had still been unable to secure Mr Clark's right hand into the handcuffs. Mr Clark is lying on the ground complaining about his eye. The Panel noted from the transcript of the footage that before he was sprayed Mr Clark was given 5 commands to calm down by PC E Williams and 3 commands to Stop. PC E Williams also told Mr Clark on no less than 3 occasions that he would have to be sprayed if he didn't calm down. In addition PC R Williams told Mr Clark on 4 occasions before he was sprayed to bring his hand round. He was also told by PC R Williams on two occasions to behave and 5 occasions to stop resisting.

53. The Panel accepted PC R Williams account that the cannister was defective and didn't work. Although the gas escaped there was little if any incapacitant spray that deployed with it. However, the Panel considered in these circumstances the use of spray was reasonable, necessary and proportionate because Mr Clark was still not co-operating and the handcuffs were still not secured. He was not responding to repeated verbal commands. The Panel considered that the initial impact factors were still operating. The Panel also considered that given the struggle to restrain Mr Clark it was not reasonable for PC R Williams to take a step back in order to deploy the spray from the recommended distance. The Panel accepted that to have done so would have potentially allowed Mr Clark to get to his feet.
54. The Panel considered that it was noteworthy from the footage that it was PC E Williams who first suggested the spray. PC E Williams told the Panel in her oral evidence that she had never used her spray in her 10-year service as a response officer. The Panel considered that this was compelling evidence that she considered this was a highly volatile situation involving an individual that needed force to bring him under control. Verbal commands were clearly not working and Mr Clark was not responding to entreaties to calm down. The Panel considered that the use of force in using the captor spray in these circumstances was reasonable.

3e) At 11.57.07 you sprayed, or attempted to spray incapacitant spray into Mr Clark's face as he lay on the ground.

55. For the same reasons as outlined above the Panel did not consider this to be an unreasonable use of force. The evidence in the footage and from PC E Williams and PC R Williams was that Mr Clark was continuing to resist and was not responding to verbal commands. The first use of the spray was defective

and appeared to have had no effect on Mr Clark. Both officers were continuing to use verbal commands to try to get Mr Clark to calm down and co-operate and this was having no discernible effect. The Panel was persuaded from the footage that Mr Clark was continuing to resist all efforts to secure his other hand into the handcuffs. The Panel noted from the footage that Mr Clark is using his right hand to hold on to PC E Williams's hand very tightly and she complains that he has pinched her. The Panel noted that it can be clearly seen from the footage that she has to wrestle her hand free. This is despite Mr Clark's account to the Panel that he has poor grip in his right hand as a result of his injury. The Panel noted that the AA suggested in cross examination of PC R Williams that it was his technique that resulted in the difficulty applying handcuffs. The Panel considered PC R Williams experience and concluded that the difficulty was more likely than not to be as a result of the resistance of Mr Clark. In these circumstances the Panel considered that the further deployment of the captor spray was not unreasonable.

3 f) At 12.00.54, having taken Mr Clark to the rear of a police van, you threw or dropped Mr Clark onto the floor of the caged area at the back of the van.

56. The Panel noted that after the arrival of off duty former PC Allman all three officers were able to secure Mr Clark into handcuffs to his rear. The Panel noted the evidence of former PC Allman that Mr Clark was continuing to resist and PC Allman struggled to bring his arm round.
57. Mr Clark was asked if he was going to get into the van and he said he would if he wasn't further assaulted. It appears from the footage that Mr Clark walks to the van without much resistance but once at the van he places his legs out to brace himself and prevent any attempt to put him in the van. It is alleged that PC R Williams then picked up Mr Clark and either threw or dropped him into the rear of the van. The Panel noted that PC R Williams denied this allegation and there was no evidence from either PC E Williams or PC Allman that PC R Williams had thrown Mr Clark into the van.

58. The Panel considered that the footage of the PCSO provided the best view of this event. Upon careful consideration the Panel was not satisfied that the footage demonstrated that PC R Williams either threw or dropped Mr Clark. The Panel noted that PC R Williams, PC E Williams and former PC Allman were all holding Mr Clark and attempting to put him in the van. The Panel was unable to see any forward motion on the footage which would suggest PC R Williams threw Mr Clark. In addition, it can be seen that PC R Williams continues to hold Mr Clark even though he is struggling but he does not drop Mr Clark or pull his arms away to cause him to fall. The Panel considered that there was insufficient evidence to persuade it that PC R Williams had thrown or dropped Mr Clark as alleged.

3g) At 12.01.29 you sprayed, or attempted to spray, incapacitant spray into Mr Clark's face as he lay on the floor of the police van;and

3h) At 12.03.02 you sprayed incapacitant spray into Mr Clark's face as he lay on the floor of the police van.

59. The Panel took these matters together as its reasoning is broadly similar. The panel noted that initially Mr Clark appeared to agree to go to the van and it was only when asked to get into the van that he returned to his non-compliant and unpredictable behaviour. The Panel accepted the evidence of PC R Williams that it was safer for Mr Clark to be in the van where he could be transported to obtain medical assistance. Mr Clark began using his legs to kick out and eventually when he was turned around he refused to put his legs inside the van so that the door could be closed.

60. The Panel accepted that with the benefit of hindsight the whole operation of securing Mr Clark into the van could have been co-ordinated better. However, the Panel was mindful that its role was not to judge the actions of PC R Williams with the benefit of hindsight. It also reminded itself that PC R Williams has just been in a violent altercation and is clearly tired and out of breath. The Panel considered that it was not unreasonable once a decision had been taken to put Mr Clark in the van to persist with that plan, even when he became uncooperative again.

61. The Panel accepted that leg restraints were a potential option but given the difficulties with securing the handcuffs it may have caused further difficulties. Similarly, waiting for other officers to arrive would have delayed Mr Clark getting

medical attention and potentially allowed a difficult situation to develop if individuals had arrived to assist Mr Clark. The Panel noted that PC R Williams did allow PC E Williams to try to persuade Mr Clark to get in the van and did not move immediately to use further force. The Panel considered it was clear from the footage that Mr Clark is not going to be persuaded to get into the van under his own steam.

62. The Panel noted that PC R Williams also tried to use verbal commands to persuade Mr Clark to get into the van without any success. There is no evidence on the footage that would suggest that PC R Williams is seeking to punish Mr Clark or has lost his temper.
63. The Panel considered that although Mr Clark was complaining that his arm was “broken” this was later found to be untrue. The Panel accepted that although Mr Clark had an obvious injury to his eye and was complaining of pain in his arm this was not preventing him from continuing to resist all efforts to secure him into the van. The Panel also noted that despite the fact that he was handcuffed to the rear, Mr Clark continued to kick out and place himself in a position where the doors to the van could not be safely and securely closed.
64. The Panel has previously accepted that PC R Williams’ spray had not deployed correctly during the struggle in the front garden and it appears from the footage that it continued to malfunction. In these circumstances, PC E Williams handed PC R Williams her spray as he is closer to Mr Clark. The Panel considered that both uses of the spray were reasonable in the circumstances. The Panel notes that neither former PC Allman nor PC E Williams raised any concerns with PC R Williams either at the time of spraying or subsequently. The Panel considered that this was compelling evidence from individuals who were directly involved in the incident that suggested that they considered the use of force to be appropriate. Although the spray was not from the required distance, the Panel noted the confined space of the van and accepted PC R Williams evidence that in order to compensate he sprayed the back of Mr Clark’s head. The Panel considered that in these circumstances the use of force was reasonable.
65. In light of the Panel’s findings in relation to the facts there is nothing that could amount to a breach of the standards and the case is therefore concluded.