



## STRATEGIC POLICING AND CRIME BOARD 2<sup>nd</sup> December 2014

### USE OF FORCE

#### PURPOSE OF REPORT

1. The purpose of this report is to provide members of the Strategic Policing Crime Board with an overview of the use of force by West Midlands Police (WMP) staff. As requested, the paper focusses on the use of taser but also offers some outline data on other tactical options including Attenuated Energy Projectiles (AEPs), firearms deployments and other personal safety techniques.

#### BACKGROUND

2. Legislation governing the use of force by police officers is covered within the following:
  - The Human Rights Act 1998
  - Section 3(1) Criminal Law Act 1967
  - Section 117 Police and Criminal Evidence Act (PACE) 1984
  - Common Law provisions in respect of self-defence;
  - The Police (Conduct) Regulations 2012, the Police Standards of Professional Behaviour and the Code of Ethics.
3. WMP also follows ACPO agreed and issued guidelines contained within the Guidance on Personal Safety Training Manual 2009 and specific additional guidance for handcuffing, taser and CS.

#### USE OF TASER

4. Taser is a valuable tactical option used by specially trained police officers to diffuse potentially violent situations, while at the same time minimising harm to members of the public, police officers and suspects.
5. Taser creates space between the subject and police, and reduces physical contact. It is seen as less harmful than a strike from a police baton or use of CS spray.

6. In the vast majority of cases, the mere presence of the taser is enough to defuse violent or potentially violent situations, bringing that situation to a swift conclusion without the need to fire the taser. This is evidenced by the fact that between 70-80% of incidents where taser was used, it was not fired.
7. The normal reaction of a person subject to the discharge of a taser is the loss of some voluntary muscle control resulting in the subject falling to the ground or freezing on the spot. Recovery from the direct effects is almost instantaneous once the discharge is complete.
8. Taser usage is monitored by the Home Office and figures for each force are published every six months. The following tables cover the previous three reporting periods, percentages are rounded up to the nearest 1%:

<b>Total Force Usage 1<sup>st</sup> Jan -30<sup>th</sup> June 2013</b>								
Number of Incidents	Drawn	Aimed	Red Dot	Arced	Fired	Drive Stun	Angled	Total Usage
387	97 (18%)	N/A	287 (55%)	16 (3%)	119 (23%)	5 (1%)	N/A	524

<b>Total Force Usage 1<sup>st</sup> July – 31st Dec 2013</b>								
Number of Incidents	Drawn	Aimed	Red Dot	Arced	Fired	Drive Stun	Angled	Total Usage
391	94 (20%)	N/A	262 (56%)	8 (2%)	102 (22%)	2 (1%)	3 (1%)	471

<b>Total Force Usage 1<sup>st</sup> Jan – 30<sup>th</sup> June 2014</b>								
Number of Incidents	Drawn	Aimed	Red Dot	Arced	Fired	Drive Stun	Angled	Total Usage
439	56 (12%)	31 (7%)	228 (50%)	10 (2%)	122 (27%)	7 (2%)	3 (1%)	457

9. The categories are defined as follows:

- Drawn - the taser is removed from its holster.
- Aimed - the taser is directed towards the subject. Aimed was not recorded as a separate category until 2014.
- Red Dot - the laser sight is activated and a red laser dot is directed onto the subject.
- Arced - a visible electrical charge is activated across the terminals of the device and shown to the subject.
- Fired - the taser cartridge is discharged and two barbs are shot at the subject with an electrical charge being sent through them after contact.
- Drive stun - the direct application of a taser on a subject without there being a cartridge attached. This delivers pain compliance and allows an officer to overcome a subject if being overpowered in a close quarter environment.

'Drive Stun' is not generally used as a tactical option in WMP but taser officers are provided with an awareness of the tactic.

- Angled - a form of Drive Stun which is used where only one of the two barbs fired makes a proper connection with the target. The officer can then apply the taser unit directly to act as the second connection point to transmit the charge.
10. Total usage exceeds the number of incidents as more than one taser may be deployed at a single incident; for instance more than one taser officer may draw their taser.
  11. During 2013, tasers were fired at 176 separate individuals, with 221 total firings. In some cases more than one taser was fired at an individual. In the first 6 months of 2014, each of the 122 firings was directed against a separate individual.
  12. Between 1<sup>st</sup> January 2013 and 30<sup>th</sup> June 2014, there were 4 incidents when taser was successfully deployed against dogs.
  13. In 2013, 50.8% of taser deployments involved white subjects and 48.1% non-white subjects. Male subjects accounted for 95% of taser usage. For the first 6 months of 2014, 67% of deployments involved white subjects and 31.5% non-white subjects. Male subjects accounted for 88% of taser usage.
  14. In comparison with our most similar force, Greater Manchester Police (GMP), taser usage is very similar. In the first 6 months of 2014, WMP deployed taser on 457 occasions, compared to 476 deployments by GMP.

### **Trained Officers**

15. There are approx 410 officers trained outside of the Operations Firearms Unit (OFU). Only those officers on 24/7 response teams and the Operational Support Unit carry taser. There are a little over 600 officers in total trained to carry taser.
16. Officers selected to undergo taser training attend a three day pass/fail course. There is an annual one day refresher course. Taser training is delivered to non-firearms unit personnel by Learning and Development (L&D) staff in a dedicated facility based at the Regional Public Order Training site at Cosford. Staffordshire response officers and CMPG staff are also trained and refreshed at Cosford.
17. Tasers were first issued to response / OSU officers from October 2009. There are up to eight trained taser officers on each response team. There are no minimum staffing levels and LPU commanders will consider the level of taser trained staff against local threat and risk. Response officers are trained in two deployment options. Firstly, a double crewed option where both officers are taser trained and carrying tasers. The second option is again double crewed, however only one of the officers will carry taser.
18. Firearms officers within the OFU will carry taser as one element of less lethal capability and are trained in a variety of deployment methods.
19. Taser is not generally deployed to major public order related events.

## **Taser Governance**

20. Superintendent Operations is the force silver lead for taser matters. Bi-monthly meetings are held to consider policy, usage, storage/maintenance, training and developing national guidance.
21. The Chief Firearms Instructor monitors taser training delivery via L&D staff at Cosford. OFU staff also ensure compliance with maintenance schedules and there is a network of local LPU SPOCs that support the storage, issue and data downloading process.
22. At force level there is a nominated SPOC who reviews all taser use working closely with Professional Standards, OFU, L&D, Home Office and the College of Policing. The force SPOC will provide the required data for the Home Office and support the response to FOI requests.
23. On any occasion that a taser is deployed there is a requirement for officers to be de-briefed to ensure appropriate use and develop organisational learning. De-brief forms are completed and examined by the force SPOC.

## **Taser Loss**

24. There are no recorded examples of tasers being mislaid or lost operationally. There is a robust audit trail of issue, movement and storage of tasers managed locally by LPU/Dept SPOCs overseen by officers from within the OFU.

## **ATTENUATED ENERGY PROJECTILES (AEPS)**

25. AEP launchers are carried by each Armed Response Vehicle (ARV) and on each Tactical Firearms Team (TFT) pre-planned and spontaneous operation. A nominated officer is responsible for the AEP on TFT operations. It is considered a less lethal option than a standard firearm.
26. From 1<sup>st</sup> January to 19<sup>th</sup> November 2014 there have been 1062 ARV incidents and 84 TFT operations. Of the 1062 ARV incidents, firearms officers took action in a firearms capacity in 355. There were no incidents/operations where an AEP was fired during this period.
27. In terms of public order scenarios, AEP is a tactical option available for commanders requiring additional strategic authority. There has never been an operational deployment in WMP force area.

## **FIREARMS**

28. Between 1<sup>st</sup> January 2014 to 19<sup>th</sup> November 2014, and excluding close protection operations, there have been:
  - 66 pre-planned operations with 51 subjects detained
  - 18 spontaneous operations with 10 subjects detained
  - Total: 84 operations with 61 subjects detained

## **WIDER USE OF FORCE**

29. Beyond the data provided for taser, AEP and firearms there are many other use of force tactical options available to frontline officers and staff. Deployment is based upon the level of threat and dynamic application of the National Decision Model (NDM) in deciding upon which option or combination of options provides the best opportunity of resolving an incident safely.
30. Tactical options include verbal commands, restraint and open hand techniques, CS spray, baton strikes, use of dogs and a range of public order and shield options taught within public order training.
31. There is no longer a requirement for officers to record a use of force on a separate form in relation to open hand techniques, CS spray and baton strikes. Officers are instructed to record the detail of any incident, force used and the rationale supporting the application based on the NDM in their pocket notebooks.
32. The decision to stop recording such data was taken in late 2010 after consultation with Force Health and Safety, Professional Standards and Operations and was ratified by Command Team. Form WG 433 (use of force form) was withdrawn to support the force aim of reducing bureaucracy and reducing repetition of data.
33. Records are maintained on the deployment of firearms officers, taser usage and police dog bites.

## **FINANCIAL IMPLICATIONS**

34. There are no financial implications to note at this time.

## **LEGAL IMPLICATIONS**

35. There are no legal implications to note at this time.

## **RECOMMENDATIONS**

36. The Board is asked to note the content of this report.

Assistant Chief Constable Cann