

COMMUNITY OUTCOMES MEETING

MAKING SURE CRIMINAL JUSTICE WORKS FOR COMMUNITIES

19 December 2017

**SUBJECT: USE OF FORCE, including Firearms**

**Report of the Chief Constable**

<p><b>PURPOSE OF THE REPORT</b></p> <p>1. This report outlines the Force's position in relation to the use of force.</p>
<p><b>RECOMMENDATION</b></p> <p>2. That the Police and Crime Commissioner uses this report to scrutinise West Yorkshire Police performance in respect of use of force matters.</p>
<p><b>POLICE AND CRIME PLAN</b></p> <p>3. The proportionate use of force by West Yorkshire Police officers and staff is of vital importance to our efforts of keeping West Yorkshire safe and feeling safe. It directly links to the outcomes of tackling crime and anti-social behaviour and often safeguarding vulnerable people and is also crucial for maintaining public confidence in the police.</p>
<p><b>KEY INFORMATION</b></p> <p>4. The Police and Crime Commissioner (PCC) understands that use of force can be a concern by the public but that West Yorkshire Police Officers are required at times to use force in order to achieve our policing purposes which include protecting the vulnerable, attacking criminality and reducing crime.</p> <p>5. It is important that the PCC not only supports the police in fulfilling their operational duties, but also ensures that the police only use force proportionately and when necessary. The PCC monitors the processes for complaints and reviews of the use of force, through the Professional Standards Department (internal) and Independent Police Complaints Commission (external).</p> <p>6. The PCC backed a campaign called 'Protect the Protectors' in February 2017, which incorporated protecting all emergency services colleagues from assaults. The campaign to protect the protectors has three key points; to improve recording of assaults on officers and staff across England and Wales, toughen up sentencing rules and support for more sustainable funding into key services like policing.</p> <p>7. The PCC is aware of the WYP requirement with regards to the use of Bite and Spit Guards for frontline officers. Body Worn Video was funded by the PCC in September 2016. He invested £2 million pounds from a 'Transformation Fund' to support the project and promised to put victims of crime, in particular the most vulnerable first, and the use of body worn cameras provides</p>

increased support to victims and witnesses and reduces the number required to attend Court. Their use also means increased benefits for police accountability and transparency which will help resolve complaints and increase confidence in the police all round.



## Use of Force

**Paper requested by: OPCC - Community Outcomes Meeting - 15<sup>th</sup> December 2017**

**Report on behalf of: ACC Mr Battle**

**Report Author: Inspector Richard Cawkwell**

**Date of Report: 13.11.17**

### **Overview**

Like all forces WYP were required to commence the recording of Use of Force (UOF) from the 1<sup>st</sup> April 2017. The first Annual Data Return (ADR) to the Home Office for all data relating to UOF is required by the 31<sup>st</sup> March 2018. 12 months of data will be forwarded to the Home Office.

Recommended practice for all forces is to release locally details of quarterly data that relates to UOF. WYP last released such data onto its public facing website in August 2017.

### **Officer and Staff Requirements**

West Yorkshire Police Officers and Police Staff are required to submit reports via the UOF APP on the mobile device or via the pronto manager on a desk top computer.

Officers are required to submit UOF reports in a number of circumstances which includes the application / use of:

- Tactical Communications - this includes officer presence and communication skills to resolve conflict at an incident.

- Handcuffing – both compliant and non-compliant handcuffing
- Baton – this includes drawing and striking with the Baton
- PAVA Spray – this includes drawing, use and aftercare
- Spit and Bite Guards – in a custody setting or outside of custody
- CED – Conducted Energy Device or Taser as it is commonly known, used in prescribed modes of drawn, aimed, red dot, arced, fired, angle drive stun.
- Firearms – both aimed and fired

### **Use of Force Data April to September 2017**

7,984 use of force reports were submitted by Officers and Staff in this 6 month period. It should be noted that the Officers / Staff are required to record all of the tactical options that they used at an incident and rank them in terms of order of use and their effectiveness in resolving the situation. This can be broken down into the following areas:

#### **Tactical Communications**

Tactical communication was recorded as being the effective 1<sup>st</sup> tactic on 4,814 occasions. This is the most effective 1st tactic which resolves conflict during operational incidents. This indicates that our officer and staff are focussed on using dialogue effectively.

#### **Handcuffing**

Compliant Handcuffing was recorded as being the effective 1<sup>st</sup> Tactic on 2148 occasions. This ranks 2<sup>nd</sup> behind Tactical communication as being the most effective 1<sup>st</sup> tactic. Non-compliant handcuffing was recorded on 1009 occasions as being the effective 2<sup>nd</sup> tactic. This indicates that other tactics are adopted firstly (such as tactical communications) before non-compliant handcuffing is required to resolve the incident)

#### **Baton**

A Baton being drawn was recorded as being the effective first tactic on 16 occasions. A Baton being used in a striking manner was recorded as being the effective first tactic on 2 occasions. 7 uses of the Baton in this manner features as being the 4<sup>rd</sup> tactic used which resolved the situation faced. This shows that other tactics are adopted before a baton is used in a striking manner which as we know carries the risk of injury being caused.

### **Spit and Bite Guards**

Spit and Bite Guards were recorded as a total on 36 occasions. They were recorded as being used in Custody on 15 occasions. They were recorded as being used outside of custody on 21 occasions. On 2 occasions they were recorded as being the effective 1<sup>st</sup> Tactic. On 14 occasions they were recorded as being the effective 3<sup>rd</sup> Tactic used. Again this shows that other tactics are being attempted before resorting to use of the guard.

### **PAVA Irritant Spray**

PAVA Irritant spray was recorded as being drawn on 182 occasions. It is recorded as being sprayed on 326 occasions. It should be noted that it is shown as being a tactic used as 2<sup>nd</sup> tactic on 90 occasions and 3<sup>rd</sup> tactic on 129 occasions. Clearly this shows that other tactics such as communication have failed to resolve a violent situation.

### **CED (Taser)**

Taser was recorded as being used a total of 168 occasions. It was recorded as being used in a non-firing capacity alone on 129 occasions. It was recorded as being used in a firing capacity on 39 occasions. Taser continues to be used proportionately in WYP which mirrors closely data from recent years. As per Force Policy all Taser discharges are reviewed by a Chief Inspector Firearms Commander.

### **Firearms**

There have been 330 armed deployments involving various tactics in the timeframe. On 95 occasions Firearms have been aimed at subjects prior to them being arrested. There have been no discharges of firearms.