

Legitimacy Scrutiny Panel Use of Force Exercise - August 2021

In response to the continued COVID-19 restrictions in place and following consultation with Legitimacy Scrutiny Panel (LSP) members, scrutiny exercises moved to a virtual setting in November 2020. This report covers use of force for the period 1st January to 30th June 2021.

The use of force scrutiny exercise aims to:

- Review Gwent Police's use of force data for the period;
- Review a selection of use of force for the scrutiny period through body worn video, with a specific focus on incidences involving Taser, where mental health has been identified as a factor, or where individuals are aged below 18 years, providing feedback on any queries or issues identified; and
- Provide recommendations for change to support improvements as identified within the report.

The Panel session was attended by Gwent Police's Superintendent who is the operational lead for coercive powers, and the Inspector for East (Operations). They provided operational feedback to members' comments and observations as well as recording any organisational learning to be provided to the relevant departments or supervisors. The Inspector provided an update in respect of the queries recorded during the previous scrutiny exercise, which was accepted by the members.

Due to the improved feedback mechanism now in place between the LSP and Gwent Police, and the internal focus on use of force scrutiny, the nature and frequency of recommendations from LSP exercises is changing. In place of recommendations, actions may be picked-up by police colleagues during sessions and this will be reflected within the report as applicable.

A glossary of use of force terms is provided at the end of this report.

Data Overview

Table 1 compares the data for the current and previous scrutiny periods. The number of form submissions decreased by around 15.3% compared to the previous six months, with 6.8% fewer form submissions when compared to the same period last year. This reflects a reduction in the number of police operations carried out during this COVID-19 period, as well as greater compliance by individuals during incidents resulting in fewer officers attending and therefore, fewer form submissions.

It should be noted that the number of incidences does not show how many individual people experienced use of force, but rather how many times force was recorded by officers (in accordance with Home Office recording rules). For example, in a situation where multiple police officers are required to use various types of force on a single individual, separate use of force forms should be submitted by each of those officers. Therefore, the data examined during scrutiny exercises cannot currently be used to find out the number of unique events in, or individuals on, which force was used. While disproportionality ratios have been considered as part of this work, for this reason they should be taken as indicative only.

Table 1 – Comparison Data 18 Months 1st January 2020 to 30th June 2021

	1 st Jan to 30 th Jun 2020	1 st July to 31 st Dec 2020	1 st Jan to 30 th Jun 2021
Total no. of forms	3721	4091	3467
Gender: Male	80.4%	77.6%	77.9%
Female	19.1%	21.0%	21.3%
Identify as neither	0.1%	0.2%	0.1%
Top 5 tactics used:			
Compliant Handcuffing	43.3%	49.0%	50.3%
Unarmed Skills	28.6%	27.7%	27.3%
Tactical Communications	30.3%	27.6%	28.7%
Non-Compliant Handcuffing	17.8%	18.0%	17.2%
Ground Restraint	10.2%	9.3%	10.0%
Taser drawn/used	4.2%	3.6%	4.3%
Top 5 reasons: Effect	43.3%	46.2%	45.7%
Arrest			
Prevent Harm	6.9%	7.0%	6.8%
Prevent Escape	6.0%	5.4%	4.3%
Effect Search	6.6%	7.0%	6.7%
Protect Self	3.9%	3.9%	3.3%
Outcomes: Arrested	76.7%	72.6%	73.0%
Other	9.8%	7.0%	7.0%
Detained S136	1.8%	1.7%	2.2%
Hospitalised	1.3%	0.8%	0.9%
Age: 0-10 years	0.1%	<0.0%	<0.1%
Age: 11-17	9.7%	6.9%	9.0%
Age: 18-34	58.2%	56.2%	56.6%
Age: 35-60	19.8%	28.4%	26.8%
Age: 50-64	25.3%	5.2%	5.1%
Age: 65+	1.0%	0.4%	0.4%

Impact Factors: Alcohol	34.1%	31.8%	30.3%
Size/gender/build	19.5%	19.8%	20.5%
Drugs	18.7%	15.6%	19.7%
Prior knowledge	12.7%	11.0%	10.7%
Mental health	11.0%	12.0%	12.7%
Weapon	4.7%	4.4%	4.9%
Crowd	1.4%	1.3%	0.1%
Incidences where injuries were recorded:	224 (6.0%) "subjects injured as a result of force used"	191 (4.7%) "subjects injured as a result of force used"	171 (4.9%) "subjects injured as a result of force used"
	146 incidences officers physically injured	147 incidences officers physically injured	119 incidences officers physically injured
	48 incidences Intentional assault on officers	180 incidences Intentional assault on officers	153 incidences Intentional assault on officers
Ethnicity: White	87.9%	88.8%	88.5%
Asian	3.7%	2.9%	3.5%
Black	3.4%	2.7%	3.0%
Unknown	1.2%	2.8%	2.0%
Mixed	2.7%	2.2%	2.4%
Other	1.0%	0.8%	0.7%
% of total 0-17 by ethnicity:			
White	76.8%	80.8%	86.0%
Asian	8.7%	6.3%	4.8%
Black	4.9%	4.5%	3.5%
Mixed	6.5%	6.3%	4.1%
Other	0.5%	1.0%	0.9%
Chinese	0.3%	0.0%	0.0%

As found in previous exercises, data inconsistencies were again noted within the recording of subject's perceived age, including entries marked as "30-35" and "50-64". These have been added into the most similar age groups within the analysis. In addition, entries were marked as "Persons of Varying Ages" (n=1), "Select" (n=53), and "Subject's Perceived Disability" (n=7). This causes issues when undertaking data analysis and could provide inaccuracies in the provision of information for both local and national reports. However, it is acknowledged that use of force age data only provides an estimation of the age of a subject based on the recording officer's observations and is not definitive.

Overall, the way use of force was recorded appeared consistent with previous exercises. The highest use of force occurred in May 2021 which may coincide with the easing of lockdown restrictions at that time. A recommendation has been made in previous LSP reports regarding Gwent Police identifying how operational activity contributes to increases in either the overall number of use of force incidences or those involving minority ethnicities. This oversight now takes place at the quarterly Coercive Powers Scrutiny Board and is linked to the monitoring of

performance for each reporting period. The OPCC is represented at this Board and provides an overview of the outcomes of LSP exercises, particularly the feedback from the review of body worn video.

As per the national standard, use of force forms do not record a subject's self-defined ethnicity, but instead, record the subject's *perceived* ethnicity (i.e. what the officer believes the individual's ethnicity to be). Overall, 9.6% of individuals were identified as belonging to an ethnic minority group. Compared to an approximate 5.2% Black, Asian and Minority Ethnic resident population for Gwent, force continues to be used disproportionately on individuals from these backgrounds. During this scrutiny period, individuals from Black, Asian and Minority Ethnic (BAME) groups were 2.7 times more likely to have force used on them compared to White individuals.

Increases were seen for Asian, Black and Mixed groups compared to the last period. However, reductions were seen for across minority ethnic groups for children aged 17 and under, particularly for the Asian and Mixed ethnicities. Ethnicity proportionality is considered in further detail in each of the following sections of the report to support current work to understand and address race disproportionality.

Gender

A subject's gender is recorded as perceived by officers and data was consistent with the previous period. Male subjects continue to be over-represented in use of force incidences. This is consistent with wider police and offender management data. Of the Black, Asian and Minority Ethnic groups, Asian males were subject to a slightly higher rate of use of force during the period. This is particularly consistent with use of stop and search across minority ethnicities where handcuffing may be used to safely detain subjects for the purpose of the search. This will be explored further in the next section.

Tactics

Compliant Handcuffing remained the primary use of force, recorded in half of all incidences, with a 1.3% increase on the last scrutiny period. Tactical Communications and Unarmed Skills were the next most used types of force, occurring in around 3 in every 10 incidences, with a slight increase in the use of Tactical Communications compared to the previous period. The increased risks of close engagement during the Covid-19 pandemic are recognised, particularly where spitting is part of an individual's behaviour towards officers. It is also accepted that the types of force used during engagement with subjects will depend on the circumstances and officers' assessment of any other knowledge and risk or impact factors present at the time. Table 2 provides a breakdown of the tactics used by ethnicity grouping.

Table 2: Types of Force Used

	White	BAME	Asian	Black	Mixed	Other	Chinese	Unknown
Compliant Handcuffing	1222 35.2%	159 4.6%	71 2.4%	35 1.0%	38 1.1%	16 0.5%	0 0.0%	7 0.2%
Unarmed Skills	315 9.1%	33 0.9%	8 0.2%	15 0.4%	10 0.3%	0 0.0%	0 0.0%	0 0.0%
Tactical Comms	869 25.0%	61 1.7%	16 0.5%	23 0.7%	18 0.5%	4 0.1%	0 0.0%	5 1.4%
Non-Compliant Handcuffing	241 6.9%	31 0.9%	13 0.4%	7 0.2%	9 0.2%	2 <0.1%	0 0.0%	0 0.0%
Ground Restraint	98 2.8%	3 0.9%	0 0.0%	2 <0.1%	1 <0.1%	0 0.0%	0 0.0%	1 <0.1%
Firearm Aimed	6 0.2%	1 <0.1%	0 0.0%	1 <0.1%	0 0.0%	0 0.0%	0 0.0%	0 0.0%
Irritant Spray	30 0.9%	3 <0.1%	1 <0.1%	1 <0.1%	1 <0.1%	0 0.0%	0 0.0%	0 0.0%
Not Applicable	95 2.7%	15 0.4%	5 0.1%	5 0.1%	3 <0.1%	2 <0.1%	0 0.0%	2 <0.1%
Other	95 2.7%	4 0.1%	3 <0.1%	1 <0.1%	0 0.0%	0 0.0%	0 0.0%	2 <0.1%
Taser	83 2.4%	6 0.2%	1 <0.1%	4 0.1%	1 <0.1%	0 0.0%	0 0.0%	0 0.0%
Dog Deployed/ Bite	6 0.2%	1 <0.1%	0 0.0%	1 <0.1%	0 0.0%	0 0.0%	0 0.0%	0 0.0%
Spit Guard	5 0.1%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%
Baton Drawn	1 <0.1	1 <0.1	1 <0.1	0 0.0	0 0.0	0 0.0	0 0.0	0 0.0
Shield Tactic	1 <0.1	1 <0.1	0 0.0	1 <0.1	0 0.0	0 0.0	0 0.0	0 0.0
Blank Field	63 1.8%	11 0.3%	2 <0.1%	8 0.2%	1 <0.1%	0 0.0%	0 0.0%	0 0.0%
Total	3130 90.3%	334 9.6%	122 3.5%	106 3.0%	82 2.4%	24 0.7%	0 0.0%	17 0.5%

9.6% of all force submissions during the period were linked to Black, Asian and Minority Ethnic groups. The most common tactic used was Compliant Handcuffing, recorded in 39.8% of occurrences overall and in 4.6% of occurrences linked to minority ethnicities. This suggests that individuals from Black, Asian and Minority Ethnic backgrounds experienced a proportionate use of handcuffing during the scrutiny period. However, more specific consideration of disproportionality rates is provided later in this section.

Table 3 compares use of force incidences involving searches where handcuffing was the primary tactic by Black, Asian and Minority Ethnicities over an 18-month period.

In line with the decrease in overall form submissions, the number of searches where handcuffing was the primary force used also decreased slightly when compared to the previous period. However, as a proportion of the total for this period, a 0.5% increase was seen. This slight increase is reflected in the proportion of incidences where handcuffing was used to enable a search for Black, Asian and Minority Ethnicities as a whole group. Subjects may be counted more

than once if multiple officers submitted a form relating to that subject and if more than one tactic was used. Therefore, it cannot be determined that there were 19 Asian individuals who had experienced use of handcuffing, but rather that handcuffing was used 19 times when the subject was defined by the officers as Asian.

Table 3: Handcuffing by Minority Ethnicity Against Total Stops and Searches

	Total Searches	BAME Incidences	Asian	Black	Mixed	Other
Jan-Jun 2021	190 5.5%	35 18.4%	19 10%	9 4.7%	6 3.1	1 0.5%
Jul-Dec 2020	205 5.0%	36 17.6%	18 8.7%	8 3.9%	8 3.9%	2 1.0%
Jan-Jun 2020	203 5.4%	42 20.7%	14 6.9%	18 8.7%	6 2.9%	2 2.9%

In considering the disproportionality ratio for these occurrences during the current scrutiny period, individuals from Black, Asian and Minority Ethnic groups were 5.5 times more likely to experience handcuffing as a primary use of force than those of White ethnic groups. Black ethnicities were 1.4 times more likely to experience handcuffing for search purposes, rising to 3.0 times for Asian ethnicities. Therefore, according to the available data there continues to be disparity in this specific area of use of force for ethnic minority groups as a whole.

Gwent Police has been receptive to independent feedback about how use of force is recorded and the difficulties in identifying the numbers of individuals against the number of form submissions. While this is a recording requirement set by the Home Office, Gwent Police has committed to identifying and considering any suitable alternative methods of data collection that enable greater transparency around the number of individuals subject to use of force. This will help to support greater public trust and confidence in the use of force in Gwent. We will continue to support and monitor this work through the Coercive Powers Scrutiny Board.

Taser

Table 4 compares Taser use by ethnic minority groupings for the current scrutiny period. During the current scrutiny period, Gwent Police saw a 0.7% increase in use of Taser compared to the previous period. Taser was recorded in 0.2% of occurrences linked to Black, Asian and Minority Ethnic individuals, consistent with the previous period.

Black, Asian and Minority Ethnic individuals were 1.7 times more likely to experience exposure to Taser compared to those from White backgrounds. Gwent's use continues to be significantly lower than the national ratio of 8 times. In considering use of Taser linked to mental health, 19 occurrences were recorded, a decrease of 2 compared to the previous period. Of these, none were recorded for an ethnic minority group. 10 Taser incidences were recorded for children aged 17 or under (3.2% of all 17 and under), none of which were linked to Black, Asian or

Minority ethnicities. None of the records included mental health as an impact factor.

Table 4: Taser Use by Ethnic Minority Group

	Asian	Black	Mixed	Other	Chinese
Aimed	1	2	0	0	0
Drawn	0	0	1	0	0
Red Dotted	0	0	0	0	0
Arced	0	1	0	0	0
Fired	0	0	0	0	0
Blank	0	1	0	0	0
Total	1	4	1	0	0

In line with other policing areas, Gwent is implementing a 3-year programme to increase the number of Taser-trained officers, and Taser use is subject to a robust internal governance process. Taser use is part of the LSP's body worn video review criteria, particularly where children aged under 18 have been involved in incidents, or when mental health has been identified as a factor.

Reasons for Use

In addition to being used to effect a search, the top reasons for use of force were to effect arrest, prevent harm, prevent escape and protect self. Use of force to effect arrest decreased slightly by 0.5% compared to the previous period, which may be linked to operational activity during this time. Table 5 provides a breakdown of reasons by Black, Asian and Minority Ethnic group as a proportion of the total use by incidence. For all groups, the greatest number of incidences related to arrest.

Table 5: Reasons for Use by Ethnic Minority Group

	Total Incidences	BAME Incidences	Asian	Black	Mixed	Other	BAME RDR
Effect Arrest	1889 54.5%	161 8.5%	54 33.5%	46 28.6%	47 29.2%	14 8.7%	2.3
Prevent Harm	489 14.1%	36 7.4%	10 27.8%	15 41.7%	10 27.8%	1 2.8%	2.0
Prevent Escape	291 8.4%	29 10.0%	11 37.9%	9 31.0%	8 27.6%	1 3.4%	2.7
Effect Search	317 9.1%	46 14.5%	23 7.2%	13 28.3%	9 19.6%	1 2.2%	4.2
Protect Self	368 10.6%	32 8.7%	12 37.5%	14 43.7%	4 12.5%	2 6.2%	2.4

According to the number of form submissions during the period, Black, Asian and Minority Ethnic individuals were:

- 2.3 times more likely to experience force linked to arrest than White individuals;
- 2.0 times more likely to experience force used to prevent harm;
- 2.7 times more likely to experience force linked to prevent escape;
- 4.2 times more likely to experience force linked to search; and

- 2.4 times more likely for the officer to protect themselves.

The data shows that Asian individuals experienced the highest proportion of force in 3 of the 5 reasons for use (effect arrest; prevent escape; and effect search). Black individuals experienced the highest proportion in the remaining 2 categories (prevent harm; protect self).

The highest level of disproportionality within the data for all ethnic minority incidences occurred in relation to use of force during stop and search encounters. However, in considering each minority ethnic group, disproportionality was highest for the Black group to 'protect self'. Reasons for use across ethnic groupings forms an integral part of the performance monitoring undertaken at the Coercive Powers Scrutiny Board and within these scrutiny exercises.

Outcomes

The proportion of arrests resulting from use of force were consistent with the previous period, with approximately 7 out of every 10 incidences overall resulting in an arrest. That changes to fewer than 1 in 10 incidences for Black, Asian and Minority Ethnic individuals with Asian, Black and Mixed ethnicities experiencing similar levels of arrests. Previous comments regarding ethnicity made in this report are also applicable here. We will continue to work with Gwent Police and the Coercive Powers Scrutiny Board in reviewing the outcomes of use of force for all our ethnic minority groups to ensure that any disparity is explained or addressed.

The proportion of incidences resulting in detention under S136 of the Mental Health Act (MHA) increased slightly to 2.2% when compared with the previous period. 2 of the 75 occurrences during the period were linked to individuals from Asian and Mixed ethnic backgrounds. This outcome may well reflect the increased mental health demand on policing experienced during the COVID period and will continue to be monitored to ensure that the work to decrease the number of people in mental health crisis being detained in police custody continues to be effective.

The proportion of individuals conveyed to hospital was consistent with the previous scrutiny period; of these, 3 occurrences were identified for individuals from Black and Asian backgrounds. In addition, 13.3% of those hospitalised were recorded as injured due to the use of force (n=4). A review of these occurrences showed that where force was used and injuries occurred, alcohol, drugs or mental health issues were among the impact factors that could have escalated the subject's behaviour when engaged with by officers. This suggests that officers use of force is proportionate to the circumstances.

Age

Approximately 1 in every 10 use of force incidences involved individuals aged 17 and under. Approximately 6 in every 10 incidences were found to involve individuals within the 18 to 34 age range. This is in line with the national average and is relatively consistent with the previous scrutiny period. However, there was a

slight decrease for the 35 to 60 age range which could be as a result of more consistent age reporting during the period. Table 6 compares total incidences for these age groups with ethnic minority incidences and groupings.

For individuals aged 17 and under, approximately 1 in every 5 occurrences were linked to Black, Asian and Minority Ethnicities. Those perceived as Asian were subject to a greater frequency of use of force compared to other minority ethnicities, which was consistent with the overall ethnicity trends for use of force during the period.

Table 6: Incidences by Age and Ethnic Minority Group

	Total Incidences	BAME Incidences	Asian	Black	Chinese	Mixed	Other
17 & Under	314 9.0%	42 13.4%	15 35.7%	11 26.2%	0 0.0%	13 30.9%	3 7.1%
18-34	1964 56.6%	193 9.8%	82 38.3%	63 32.6%	0 0.0%	54 28.0%	14 7.2%

Over half the incidences related to individuals within the 18 to 34 age group. This is consistent with criminal justice and offender profiles. However, while the proportion of total incidences for the 17 and under group was below 10%, the proportion linked to Black, Asian and Minority ethnicities was higher than for the 18 to 34 age range. While this is relatively consistent with the previous scrutiny period, it remains an ongoing concern and suggests that there is disproportionality in the use of force for this age group.

Table 7 provides a breakdown of the outcomes of incidences for the 17 and under and the 18 to 34 age groups. In line with the overall data trend for the period, arrests provided the largest outcome for both age groups, with the 18 to 34 group experiencing a higher proportion of arrests than those aged 17 and under.

Table 7: Incidences for 17 and Under and 18-25 Age Groups by Minority Ethnicity

	Total Incidences	BAME Incidences	Asian	Black	Chinese	Mixed	Other
U17	180	25	10	5	0	8	2
Arrested	5.2%	13.9%	5.5%	2.8%	0.0%	4.4%	1.1%
18-34	1443	151	50	42	0	45	14
Arrested	41.6%	10.5%	33.1%	27.8%	0.0%	29.8%	9.9%
U17	29	2	0	0	0	2	0
Other	0.8%	6.9%	0.0%	0.0%	0.0%	100.0%	0.0%
18-34	140	18	14	3	0	1	0
Other	4.0%	12.8%	77.8%	16.7%	0.0%	5.5%	0.0%
U17	8	0	0	0	0	0	0
Detained MHA	0.2%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
18-34	35	0	0	0	0	0	0
Detained MHA	1.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
U17	7	0	0	0	0	0	0
Hosp'	0.2%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
18-34	13	1	1	0	0	0	0
Hosp'	0.4%	7.7%	100.0%	0.0%	0.0%	0.0%	0.0%

Within both age groups, the highest number of arrests were recorded for incidences linked to Asian individuals. Use of 'Other' was higher for the 18 to 34 age group, with Asian individuals linked to a greater number of incidences than for the other groups. Whilst there are relatively small numbers of incidences involving children under the age of 18, disproportionality is suggested by the data. Where children are taken into custody, the appropriate processes involving Youth Offending Services are applied. These are regularly monitored elsewhere.

Gwent Police scrutinises age in relation to use of force incidences as part of the performance reporting to the Coercive Powers Scrutiny Board. This provides a better understanding of use of force on children and young people, particularly those associated with Black, Asian and Ethnic Minority backgrounds. However, as previously mentioned, the way that use of force is recorded does not provide an accurate picture of the number of children and young people involved.

Body Worn Video

A selection of video footage was provided for review by the Panel, which included incidences involving Taser, mental health, and children aged 17 and under. The selection may incorporate footage provided by Gwent Police's Professional Standards Department (PSD) in connection with closed complaints. While any feedback would not affect the outcome of the complaint investigation, additional organisational learning may still be identified as part of the independent review.

Members also have an option to review any additional footage for incidents to obtain wider context and support greater understanding of the circumstances in which force was used on that individual. Where this is the case, videos will be labelled as such.

Video 1: Attending officers located the individual who had been wandering the town covered in a substantial amount of his own blood as a result of self-harm. The officers approached the male who told them that he was holding a razor blade in his mouth with the intention to swallow it. The officers' attempts to reason with the male were ineffective. Due to the risk to the male, the public and other officers, Taser was used twice to allow for the retrieval of the razor blade and to enable medical assistance.

Members agreed that the engagement by the lead officer was very good and noted the hard work to establish a rapport with the individual to calm the situation and prevent any further harm being caused. There was discussion that the second officer, in talking to the individual at the same time, was distracting and could have undermined the rapport being built by the first officer. Members were concerned that, while within earshot of the individual, the Taser officer present was heard to give an update to the Control Room regarding not having "a clear shot", and the possible risk of escalation by the individual as a result. Members were also concerned there may have been additional risk to the individual linked to the timing

of Taser usage and the location of the razor blade. Members were given reassurance that the Taser use would have been to prevent any further harm to the individual and enabled safe retrieval of the blade.

ACTION: Feedback on the incident to be provided to the Panel after internal follow-up.

Video 2: An officer responded to a call regarding 2 youths fighting in the street. As the officer attempted to deal with the second youth, the first returned from their house with a knife and threatened the second youth.

Members acknowledged the challenge for single-crewed officers in dealing with multiple subjects and that the situation was initially handled well. There was discussion that the officer seemed to be distracted when recalling the individuals' details and that there could have been an earlier request for assistance. We noted that there was a reliance on the available and appropriate adults present to assist with the children, but that at the time there was nothing in the child's behaviour to suggest an escalation of this kind. Members agreed that the officer handled the knife situation appropriately.

Video 3: Officers located an individual wanted in connection with a theft who, when approached, made off on foot. The officers gave chase and when located, the individual stated that he was COVID positive and in possession of a blade. The individual tried to make off from the officers again and attempted to reach into his pocket, at which point Taser was deployed. Taser was effective but the individual removed the barbs, resulting in Taser being used a second time. The officers were then able to restrain and detain the individual.

Members agreed that the use of force was proportionate to the circumstances but that the delay in switching on the camera did not provide all the context for the engagement. We also recognised that this incident reflects the types of close contact, higher risk situations officers regularly deal with, and discussed whether there may have been an earlier opportunity to secure the individual to minimise any risk to members of the public that were gathering in the immediate area.

Video 4: Officers received a report of an individual in possession of a knife, making threats in public to kill and "burn out" the victim. Upon their arrival, the individual ran at the officers in the street, in a threatening manner.

Members agreed that the officer controlled the situation well and facilitated the de-escalation of the situation. We discussed how the officer's decision-making considered the impact factors relative to her gender and resulted in a swift and successful outcome.

Video 5a: A call was received from a taxi firm reporting that one of their drivers had been assaulted by a passenger in a rural area. The officer found the victim in the

driver's seat of the car, disorientated and in pain with significant facial bleeding and lacerations. The victim identified the responsible individual who was nearby. The individual was seen to approach the officer still holding the item used in the assault, using aggressive language and posturing. The officer gave multiple warnings to the individual and was heard to request immediate support. The individual proceeded to assault the officer, making threats to kill and using abusive language throughout.

Video 5b: A second officer attended the scene and located the individual on top of the first officer, who was pinned on the ground in a vulnerable position. The officer issued a Taser warning and instructions to release the first officer, while constantly being challenged by the individual. Due to continued resistance and not releasing the officer, Taser was deployed. The individual continued to display resistance throughout the incident but was eventually detained by the officers and transferred to a police van to be taken to custody. Due to the size of the individual, rear double cuffs and fast straps were used.

Video 5c: During transport, the individual was heard banging and shouting inside the rear of the vehicle and making threats to kill the officers. The officers were heard to confirm that the individual had successfully slipped the cuffs to the front of their body, removed the fast straps and was causing damage to the interior. Due to the risk to all involved, the officers pulled over and radioed ahead for support. When the officers accessed the rear of the van, the individual was seen to break through the cage into the main space. Now supported by additional officers, Taser and PAVA spray were used enable the safe removal of the individual from the van to the ground to allow the reapplication of restraints and completion of the journey.

Members felt that this was a very difficult encounter for the responding officer and that both the officers had reacted well in the circumstances. It was believed that the use of force had been proportionate and necessary to ensure the safety of all present. We discussed the multiple use of Taser and any possible impact on the individual and what safeguards are in place in such cases. Members commented on the officers' use of expletive language during the heightened engagement but agreed that this would be acceptable in the circumstances.

Video 6: The officer observed the individual using a mobile phone whilst driving and stopped the vehicle to conduct a check. Following the individual's refusal to provide the mobile phone for examination, a lengthy and increasingly challenging discussion took place between the officer and the individual, during which the individual claimed racial profiling and harassment by the officer. The individual also made a request to speak to an alternative officer due to "feeling targeted". Due to the individual's refusal to cooperate, officers used force to remove them from the vehicle.

Several concerns were raised by members and police colleagues regarding the level of officer communication and the treatment of the individual throughout the

incident. Members agreed that the attitude shown towards the individual could be perceived as racially biased. We were advised that the officer had not applied the appropriate power to the circumstances around the phone. We agreed that the officer should have provided the individual with more clarity when answering their questions as this would have prevented the situation from escalating. It was also felt that the second officer's behaviour towards the individual was not justified, and that there had been misguided and unnecessary use of force during the encounter. We were advised that a complaint had been made by the individual as a result of their experience.

ACTION: OPCC to provide this feedback to PSD for consideration.

ACTION: Gwent Police to provide an update to the Panel, in due course, on the outcome of the complaint along with any other relevant feedback.

Video 7: Officers responded to a report of neighbours arguing. A washing machine had been thrown through the front door of the property at the extremely distressed victim. Following this, the individual had also started assaulting members of the public in the street and throwing the victim's property out of the upstairs window as well as the door. The individual appeared to be intoxicated and refused to cooperate with the officers, eventually attempting to evade arrest. The individual was restrained by the officers, during which time PAVA was used, and then taken into custody.

We agreed that the encounter started well, with officers showing a good demeanour towards the individual. Members questioned the use of PAVA spray during the encounter, as the individual was not actively resisting the officers at that time. We were advised that other options such as pressure point techniques would have been more appropriate and agreed that the use of force seen was slightly disproportionate.

ACTION: Gwent Police to:

- Follow-up on the rationale and justification for the use of PAVA spray in this encounter;
- Refer the incident to the Learning and Development Department to assess any potential training issues
- Provide feedback to the Panel in due course.

Conclusion and Recommendations

Gwent Police recognises that disproportionality exists in the application of coercive police powers and that the existence of any ethnic disparity undermines the trust and confidence of communities in the police. Both the Police and Crime Commissioner and the Chief Constable support the use of lawful and justified coercive powers in helping to keep our communities safe.

The work being undertaken by Gwent Police to identify and understand where disparity occurs is encouraging, and we are satisfied that this is currently subject to

appropriate oversight by the Coercive Powers Scrutiny Board, which we continue to engage with to provide support and challenge. However, it is important that there is transparency in how this work is undertaken and how the outcomes are communicated to our communities. We need to be able to demonstrate change if we are to successfully improve the trust and confidence of our ethnic minority communities in our policing services.

The outcomes of this report aim to support Gwent Police's transparency and effective self-assessment around use of force, improve public confidence in its use, and to promote a better understanding by the organisation of the causes of any apparent disproportionality for Black, Asian and Minority Ethnicities in Gwent. No new recommendations have been provided in lieu of the actions agreed within the session.

Reports and recommendations or actions from the LSP are fed into the Coercive Powers Scrutiny Board to inform continuous improvement and internal scrutiny processes. This also facilitates feedback to the OPCC in response. The learning from this scrutiny exercise has been taken forward by the Superintendent for action by the appropriate departments/individuals. Any thematic issues identified from either external sources or thorough Gwent Police processes will continue be used to inform future Scrutiny Panel exercises.

CONTACT OFFICER

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Types of Force

This list relates to the types of force that can be used by Gwent Police.

- Baton: a static or expandable stick, kept in a holster when not needed so that it doesn't impede an officer's movement. It can be pulled out of its holster to show escalation or used to temporarily incapacitate someone.
- Attenuating energy projectile (AEP): soft-nosed projectiles that are intended to deliver a high amount of energy over an extended period.
- Conducive energy device (CED) – this is the technical name for a Taser. Taser can be drawn as a warning or demonstration of an incident escalating or used to temporarily immobilise an individual.
- Compliant handcuffing: may be used for transport or when searching someone.
- Dog deployed: specially trained dogs are available for situations where police officers need to control or pursue people.
- Firearms: the presence of specially trained armed officers can be enough to diffuse a situation and occasions where a firearm is used are incredibly rare.
- Ground restraint – putting the subject on the floor to aid restraint, similar to unarmed skills.
- Limb/body restraints: specialist equipment used to reduce movement, such as an emergency restraint belt (ERB), and Velcro or fast straps (additional restraints usually used in addition to handcuffs when dealing with excessively violent individuals that continue to pose a threat, to themselves and / or to others present).
- Non-compliant handcuffing: used once an officer has gained control over an individual and is used to protect the officer and other people from harm.
- PAVA Irritant spray: used to incapacitate someone by irritating their skin, causing them to experience tears and coughing. The PAVA canister can be pulled out of its holster to show escalation or deployed to cause temporary incapacitation.
- Spit guard: a mesh hood worn by the detainee to prevent spitting or biting used to help control behaviour, thereby preventing or reducing harm to everyone involved in an incident.
- Shield: may be used by police officers to protect themselves and others and potentially strike an individual.

- Tactical communication: talking to a subject. This includes issuing orders such as asking them to move or stop, or to change their actions.
- Unarmed skills: include the physical holding, pinning or restraining of a person. It also includes any form of physical contact, such as pushing, pulling, striking or pinning someone to the ground.
- Other: refers to any other method of force outside the standard techniques set out above – such as using a police vehicle to stop someone moving.