

MOPAC MPS Oversight Board**12th March 2021**

Use of ForceReport by: DAC Matt Twist

1. Purpose of this Paper

This paper has been completed to provide an update on Use of Force (UoF) within the MPS, community engagement activities and an update on the progress of recommendations following the MPS handcuff review.

2. Recommendations

That the Oversight Board notes the work the Met is doing to understand better and in more detail Use of Force data, along with the Met's work to implement improvements flowing from the recommendations in the Met's Handcuff Review.

3. Summary

Ensuring that we explain use of force by Police Officers and have robust internal and external scrutiny mechanisms in place to identify disproportionality, understand the reasons for it and take action where necessary continues to be a priority for the MPS. A number of improvements are on track in this area and are being driven forward in particular by the Deputy Commissioner's Delivery Group - formed in October 2020 with a deliberate focus on improving trust and confidence with London's many Black communities.

Progress continues to implement the ten recommendations made in the review of the use of handcuffs commissioned by the Commissioner in July 2020, including in relation to policy, training, guidance and recording.

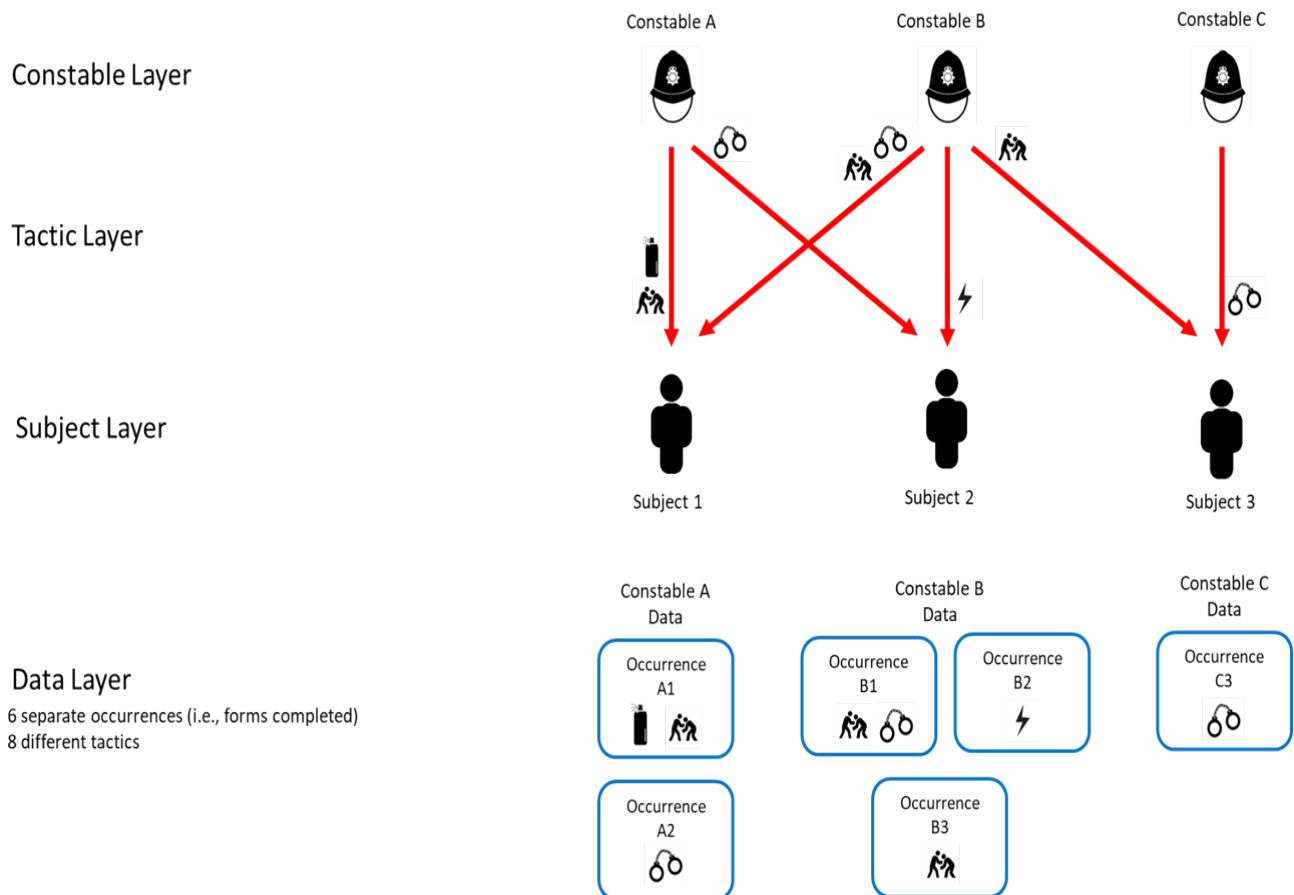
The top 5 tactics recorded during 2020 are: compliant handcuffing, tactical communications, non-compliant handcuffing, unarmed skills and ground restraints. Calendar year 2020 saw a 6.4% increase in the number of UoF forms created (tactic count) when compared to 2019. We also saw a 7.7% increase in the number of incidents where a UoF was recorded. It is worth noting that the number of police officers has increased and officers have become more familiar with the UoF recording system.

The Met's Strategic Insight Unit carried out analysis of the MPS' Use of Force. By drawing in other core Policing data systems (compared to just relying on data from the UoF form), the analysis found that officer use of handcuffing and Taser remained stable over the period of analysis. Overall Taser use increased, but that increase seemed to be in line with the increase in availability of Taser as opposed to increased officer reliance on it.

Per arrest, the analysis found that that black Londoners experience some Taser use ('any use', which includes drawing, arcing, discharging etc.) around 18% more than white Londoners. But when accounting for other factors (like presence of a weapon) the analysis found that Taser armed officers were no more likely to use Taser on a black Londoner than a white Londoner in encounters where any use of force (i.e. including handcuffs) occurred.

4. Data caveats

- Data is displayed as either the **Tactic Count** or **Incident Count**. In a single incident, officers may need to use multiple tactics. So the **Tactic Count** refers to the total number of tactics deployed by officers in 2019 & 2020, whereas the **Incident Count** is the count of incidents where UoF was applied.



- The Home Office classifies the UoF dataset as seen as experimental statistics.

5. Community Engagement, Scrutiny & Improvements to Use of Force Training

Ensuring that we explain use of force by Police Officers and have robust internal and external scrutiny mechanisms in place to identify disproportionality, understand the reasons for it and take action where necessary continues to be a priority for the MPS.

In October 2020 the **Deputy Commissioner's Delivery Group** was formed with a deliberate focus on improving trust and confidence with London's many Black communities with whom we know there can be lower levels of confidence. This group reports directly to the Deputy Commissioner and is working closely with colleagues at MOPAC on listening and responding to community concerns.

From April 2021 tactical communication, conflict resolution and de-escalation are being included in our refreshed "Safety Training" package for all officers. This will include an input from community members on how to best de-escalate situations with a focus on a safe resolution for all those involved in a policing encounter. In addition we have recently increased our foundation training offer for new recruits from 5 days to 8 days to allow a greater emphasis on de-escalation and tactical communication skills in a scenario based training environment.

As part of our ongoing continuous professional development programme of “Safety Training” communications skills are being refreshed (in line with recommendation 1) during annual CPD, which is also increasing from 2 to 3 days of contact time for all frontline officers. This includes the use of a new scenario based digital training package.

MPS officers are already required to activate their body-worn video for stop & search encounters, including traffic stops and use of force incidents. Compliance for the use of body-worn video for stop & search is currently at 95% and is regularly subject to audit. Where body-worn video has not been used for a mandatory encounter supervisors are expected to take appropriate action – this may include misconduct action where there is a pattern of behaviour suggesting BWV is not being routinely used.

From the beginning of 2020 a **central use of force oversight group**, chaired by DAC Professionalism, has met every two weeks to review a sample of body-worn video footage (supplemented by social media footage if relevant). This group includes independent community members, MOPAC and the IOPC and disseminates learning (both individual and organisational) and ensures any officers whose behaviour falls below acceptable standards is held to account. The group is focussed on learning rather than blame and this approach has seen a much more positive cycle of learning and feedback.

Based on this successful pilot the MPS are now rolling out “**Policing Encounters Scrutiny Panels**” across all 12 BCU’s in London which will provide an opportunity for scrutiny panel members to view BWV and other use of force encounters. We are working closely with the IOPC on the formation of these new scrutiny panels the first of which is due to go live in April 2021.

Finally, the new **Policing Encounters & Powers Unit** will ensure the MPS has a coordinated and consistent approach to identifying learning opportunities (individual or organisational) resulting from use of force encounters and disseminating these appropriately. This unit is due to go live from the 1st April 2021.

6. MPS Strategic Insight Unit Use of Force Analysis

The Strategic Insight Unit (SIU) in the MPS were commissioned by Management Board to conduct an in depth analysis into how the Met were Using Force. The executive summary of these findings is presented below and a copy of the full report can be found in appendix A.

The paper examined trends and disproportionality in the MPS’ use of force.

The SIU began by making important points about data from the Use of Force form (referred to hereafter as the Use of Force dataset), which underpins the majority of the analysis. Though clearly valuable, this dataset is collected quite inconsistently and is classified unhelpfully for meaningful analysis. The SIU estimated that only c.65% of incidents of use of force are recorded in this dataset. These limitations do not exist to the same extent in other core MPS systems and the Home Office quite rightly labels the Use of Force form dataset as ‘experimental’.

The SIU (and external academics, the public and the media) noted a risk of severely misunderstanding how we use force without linking in other datasets when exploring police use of force. The SIU made recommendations as to how these data should be caveated and how future analysis can be conducted.

By drawing in other core Policing data systems (compared to just relying on data from the UoF form), the SIU found that officer use of handcuffing and Taser have remained stable over the period of analysis (just over the last two years, depending on how much data was available in different datasets). This was in contrast to a report by the Home Affairs Committee over the Summer, which suggested handcuff use in the MPS had quadrupled in three years.

Overall Taser use increased, but that increase seemed to be in line with the increase in availability of Taser as opposed to increased officer reliance on it.

As with other areas of policing activity, it was possible to observe disproportionality in the experience of use of force for different ethnic groups within London. However, the disproportionate experience of Policing between different ethnic groups did not necessarily mean that Police were biased in their decision making. Rather, calls for police service (and use of force) was not evenly distributed. For example, per arrest, the SIU saw that black Londoners experienced some Taser use ('any use', which includes drawing, arcing, discharging etc.) around 18% more than white Londoners. But when accounting for other factors (like presence of a weapon) the SIU found that Taser armed officers were no more likely to use Taser on a black Londoner than a white Londoner in encounters where any use of force (i.e. including handcuffs) occurred. In fact, when taking these factors into account, the SIU found that black Londoners and other non-white ethnicities were marginally less likely to have Taser used against them.

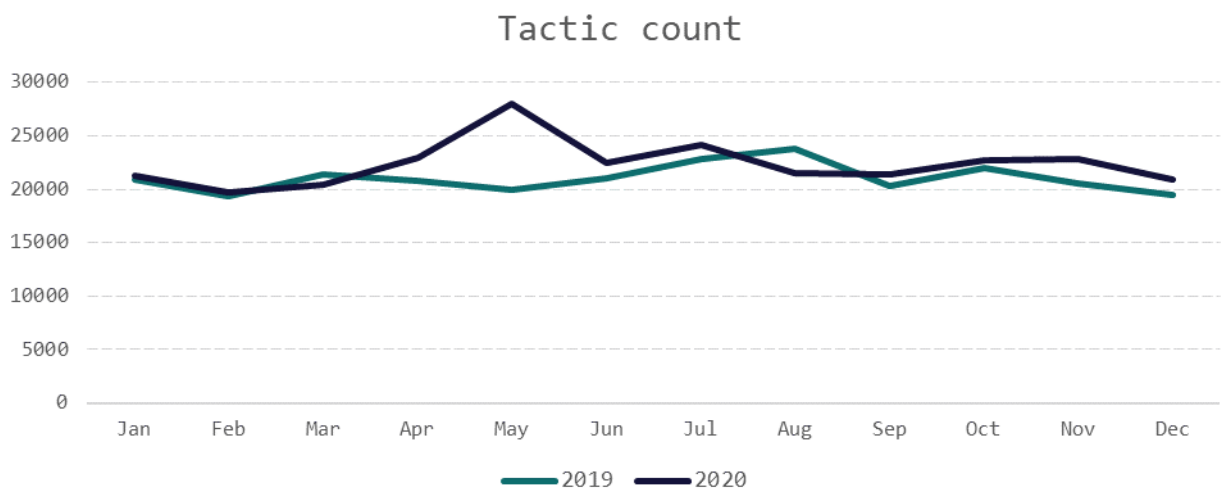
What this means is that the nature of the average Policing encounter differs by ethnicity. Indeed this is supported by the data. Of all encounters that involve some use of force, officers record weapon present as a justification for force far more frequently with black Londoners than with white Londoners, for whom, conversely, 'alcohol' is much more frequently given as a justification. Furthermore, when the SIU looked at custody data, it saw a marked difference in the age breakdowns between ethnicities: black Londoners in custody are mainly teenagers; white Londoners in custody are mainly in their 30s. Though the SIU did not look into this disparity in detail for this paper, it noted that it is very likely that the average type of offence committed by a teenager is different to the average type of offence committed by a 30-something.

7. 2020 Met UoF data

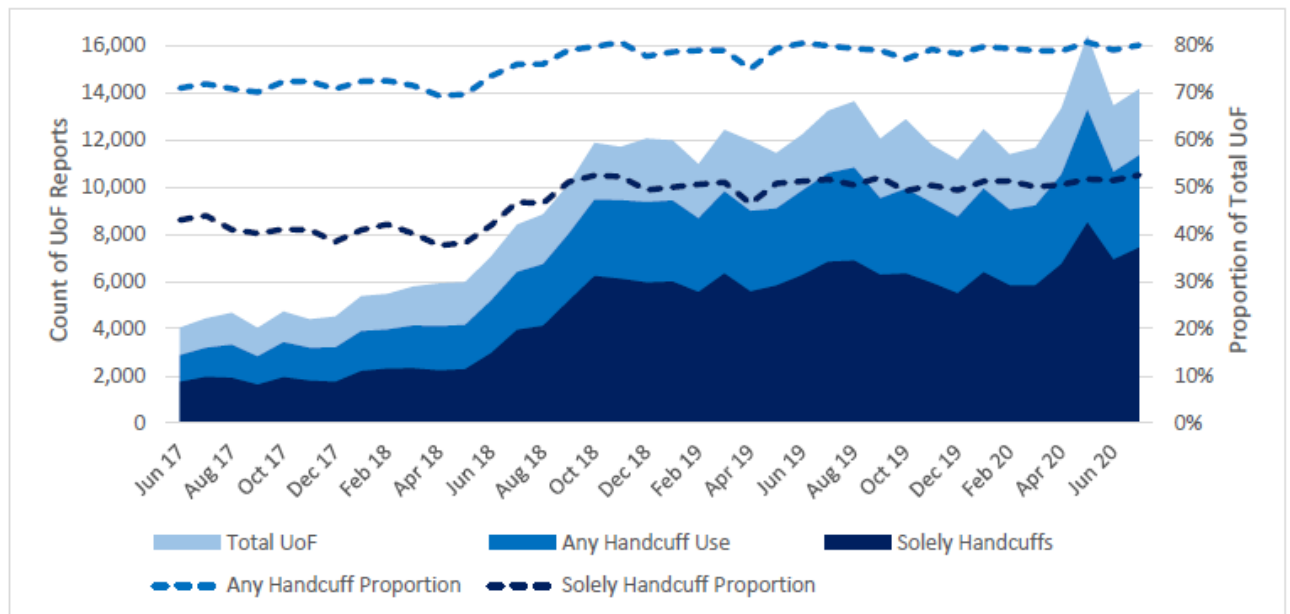
The type and proportion of force used remains consistent with the lower end uses of force constituting the vast majority of reports. The top 5 tactics recorded during 2020 are: compliant handcuffing, tactical communications¹, non-compliant handcuffing, unarmed skills and ground restraints. These 5 tactics make up 88% of the total UoF recorded in 2020. This was the same in 2019 where the same top 5 tactics made up 87.5% of the total recorded.

The increase in May was in part at least, driven by increased stop and search activity during lockdown, with the push to "bear down on violence" while the streets were empty. See below graph – in this period the volume of S&S increased significantly and we know that this will lead to an increase in reporting of the use of handcuffs.

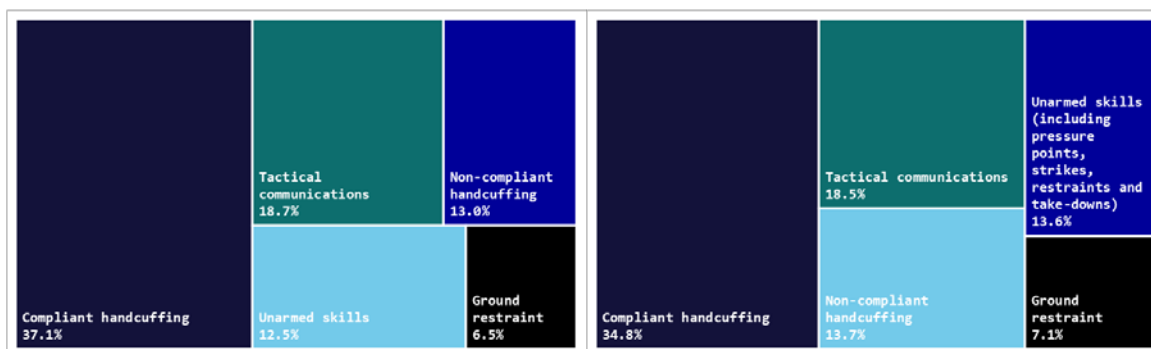
¹ For the next ADR, tactical communications is being removed from the Home Office requirement where its sole use proved effective. Consequently we are anticipating a shift in the data for the next Calendar year. Several changes are also being made including a further break down requirement of the search being conducted i.e. differentiation between stop and search, searches in custody etc.



Monthly MPS Use of Force and Handcuff use over time (from MPS Use of Force Dataset)



2020 vs 2019

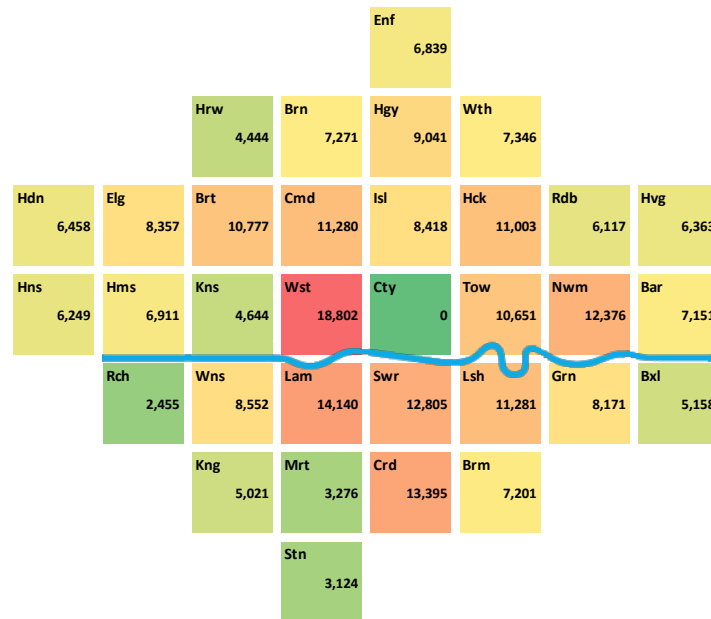


Overall use of force in 2020

During 2020, there was an increase in the number of tactics recorded on the UoF forms. We saw a **6.4%** increase when compared to 2019. This totalled **268,267 (+16,031 on 2019)**. This would not be unexpected as all officers become more familiar with the UoF recording system and therefore compliance increases.

The total number of completed forms (which do not always align with the number of incidents) grew to **173,882 (+12,454 on 2019)**.

It is generally the case that the most use of force forms are completed in the busiest Boroughs. The map below details the Boroughs where the number of use of force forms (total tactic count) have been completed.



Not included in these totals are Heathrow and UoF conducted out of force. These total **3,190 collectively and make up **1.2%** of the total.²*

The Top 10 Boroughs for recorded UoF forms also account for owning the highest proportion of TNO's, with the exception of **Brent and Lewisham** who are **11th** and **13th** when looking at the wider contribution towards the MPS TNO total for 2020.

In 2020 compared to 2019 we saw decreases in the following tactics:

- Baton drawn -7.8% with the number of uses dropping from 1637 to 1509
- Other / Improvised -5.7% dropping from 5855 to 5522
- Dog bite - 5.6% dropping from 124 to 117
- Baton used – 5.6% dropping from 647 to 611
- Taser drawn -2.7% dropping from 2345 to 2281

Type of force used in 2020

The following data is based on the total tactic count recorded on the use of force forms. As a reminder, each form can record multiple different tactics

Increases in the count of tactics in 2020 compared to those used in 2019 are as follows and are shown based on % change to 2019:

- **CED (Taser) drive stun** - the number of recorded occurrences went from **10 in 2019 to 20 in 2020**.

² Westminster BCU is an outlier in terms of the figures. Operational incidents including protest activity such as BLM and XR will no doubt have contributed to the apparent higher incidents of force being used and therefore this data should be treated with caution.

In at least two instances the subjects had been trying to evade arrest by running away from officers. One subject was intoxicated and became increasingly aggressive, and tried to avoid arrest.

- **CED (Taser) angle drive stun** –This went from 4 to 7.³

In one instance, the subject was mentally ill and had picked up a weapon to harm themselves. An angle drive stun was used to protect the subject and detain them safely.

- **Spit and bite Guards** - with an increase of **65%** from 2019. The increase went from **1273** in 2019 to **2104** in 2020.

The impact of the COVID epidemic cannot be discounted here. We have been very clear that SBG is not a proxy for contagion mitigation and its primary purpose remains unchanged – when an individual is spitting or biting (or it is clear they are about to do so). During a pandemic however it would be a reasonable assumption that when an individual does spit or bite, an officer is more likely to employ the use of SBG.

These combined increases account for **0.8%** of the UoF total.

Demographic of individuals who had force used

The following data is based on the counts of forms completed, to remove any duplicate counts of individuals.

When looking at age, gender and ethnicity, **50%** of total UoF incidents involved **Males** in the **18-34 age** category. This is clearly not representative of the population of London, however is closely representative of people in the wider criminal justice system.

Breaking this down further, **19.7% (34,334)** of the total incidents in 2020 involved **18-34 year old Black males** and **18.3% (31,821)** incidences involved **18-34 year old White males**, with the third highest category being 10.2% (17,710) **35-49 year old White males**.

8. Update on MPS Handcuff Review Recommendations

At the Home Affairs Select Committee on the 8th July the Commissioner announced she had commissioned a review into the use of handcuffs. Ten recommendations were subsequently made and are outlined below with updates as to progress.

PAH/01- 2020 Implement a new MPS Handcuffing Policy to provide clear guidance on the use of handcuffs including the requirement to justify both initial application and their continued use.

³ This is where a “fired” technique has not been effective and only one point has attached (instead of two), so the Taser is placed against a person to complete the electrical circuit.

The initial draft of this has been completed. It will be submitted to the Chair of the Officer Safety Board for further consideration. Once a final Policy position is agreed here, it will be circulated to members of the OSB, Federation and interested parties including critical friends for feedback. It is anticipated that the final Policy decision will be ready for publication at the end of March 2021.

PAH/02-2020 Update and review personal safety training to ensure there is a greater interaction between the training environment and operational policing, with significant additional focus being placed on recruit training.

The MPS is committed to uplifting the contact time denoted to Officer Safety Training and indeed how this is delivered. The proposal is that from October 2021, Officers will receive two days OST training and a separate ELS day which is an uplift of one day per year from the current position. This proposal is in line with the National work being led by DAC Twist as NPCC SDAR lead which will try to achieve consistency across forces in terms of time dedicated to training as well as content delivery. Moving to a scenario based framework will allow for a greater transition of tactics from the training setting to operational environment. Furthermore, the concepts quality of encounters and trauma informed policing are also introduced to refresher training as well as the uplifted foundation training offering.

Procedural justice is threaded throughout all lesson plans in initial recruit training. It underpins the ethos of fairness and treatment with regards to officers' actions when dealing with members of the public. The new recruit package develops the student officers understanding of the importance of their actions and how they may leave the individual feeling after their encounter with Police.

Moreover, procedural justice is incorporated into the new digital learning package for the next round of officer safety refresher training from April – September 2021. This interactive platform details the concept of procedural justice when considering stop and search powers, officers' actions, use of force and the quality of encounter model. This package requires officers to make decisions based on these outlines.

Initial recruit training has already increased from five days to eight days which is a significant increase in contact time and material delivered. This uplift includes the addition of concepts such as performance under pressure through scenario assessment, the effects of stress and de-escalation and safety in mind. A review of this new package will be conducted in the medium term future to capture any learning going forwards.

PAH/03-2020 Provide clear and concise policy guidance to officers re written use of force justification, including specifically the importance of PACE Code A.

An initial input has been trialled within the VCTF command with feedback being excellent. The Police Federation have also been engaged and are supportive of the content. Some additional commentary needs to be added however this is a quick time action and will be completed by the end of March. This will align with the next Officer Safety Board on the 6th April where it will be presented for formal ratification.

PAH/04-2020 Update the Met use of force recording form and add PACE Code A as legal provision for application of use.

This is complete with the use of force form updated accordingly.

PAH/05-2020 Greater focus on front line supervision around accountability of officers' use of force. This will include review of BWV and evidential notes.

The formation of a new unit (Police Encounters and Powers which will sit under the Continuous Policing Improvement Command), is being established which will see Subject Matter Experts (SMEs) from across business groups come together to deal with these issues holistically. This new unit will consist of SMEs from the Officer Safety Unit, Taser, Stop and Search and Professional Standards. This team will have the capacity to reactively and proactively engage with Supervisors and support them in scrutinising their Officers use of force.

This team will be led by an inspector. All the departments within the PPEU will work symbiotically to support each other.

This unit will lead on:

- Officer safety policy
- Curriculum design
- Use of force reviews
- Taser policy
- Stop and search policy and review
- Represent MPS at a national level to ID & address use of force and officer safety concerns

The PPEU will translate its work into organisational learning, which will be embedded in training & policy.

It will work reciprocally with the Learning and Development OST Delivery Unit and the Learning and Development Quality Assurance Team to add value to OST provision and ensure training is evidence-based.

The PPEU will act as an initial point of contact for BCUs and commands that want to develop learning around individual incidents or wider trends.

The PPEU will also be responsible for horizon-scanning London-wide, national and international officer safety, Taser and stop and search issues and proactively and pre-emptively addressing these in the MPS.

Work already undertaken by the Specialist Firearms Command is to be reviewed in the immediate future around Supervisory debriefings however initial consultation suggests this should be rolled out wider to supervisory officers to assist with objective conversations and proactive learning.

PAH/06-2020 Increase in community collaboration including extending engagement activities with young representatives and faith communities from non-mainstream organisations and work with Met training to establish the feasibility of involving community members in personal safety training as a matter of course.

Due to the pandemic and risk mitigation measures, it has not yet been possible to facilitate community members attending officer safety training sessions. Historically, community members have been invited to see OST but this has generally been on request and ad hoc. Learning and Development are implementing a more professionalised toolkit of options and a pathway in which all community engagement is arranged in relation to training.

Proposals include:

- Observation sessions- Where a small group of people attend an RLC and observe training. This can be tailored to meet their outcomes/expectations
- 2) Teams Q&A sessions - Hot topics, Myths busting and OST/UOF knowledge training
- 3) BCU scrutiny panels - Advice and support to police and community for incidents of note

PAH/07-2020 Update personal safety programme to incorporate procedural justice and the link to police legitimacy. This will include starting with core communication skills, dynamic post interaction positive engagement and wider quality of encounter principles.

Officer safety training from April to October has been designed with this recommendation specifically in mind. Scenario based training is being introduced into this round of training with the intention of incorporating a largely scenario based, uplifted package from October 2021. Training from April to October also includes supplementary material to solidify key learning outcomes, including:

- The purpose of stop and search
- Quality of encounter
- Principles of searching
- Recording encounters accurately
- When to use force
- When to use handcuffs
- De-escalation before, during and after an encounter
- Situational awareness
- Tactical communication
- Procedural justice
- Recognising the impact of stress on behaviour
- Reflecting on your actions

PAH/08-2020 Amend use of force form to mandate Stop/Search URN which will link the use of force (handcuffs) to the stop and search encounter, improving data quality.

This is complete.

PAH/09-2020 Interface e5090 to auto-populate a use of force form to reduce the need for duplication of data entry, improving quality and compliance.

This has been found to be feasible and following initial scoping work, the request will be submitted to Accenture who will make the changes to the e5090. These changes consist

of a per population of details from the e5090 to the UOF form including the e5090 URL, user details, BWV status and date/time. An additional selection to be added to the e5090 "Was force used during this encounter?" to be added – The user selection of "Yes" to this question will enable an auto launch of the UOF and per population of stated fields. The lead time for Accenture is 8 – 10 weeks.

PAH/10-2020 Implement change request to connect programme to include use of force in its scope to interface between systems and reduce future duplication.

Conversations continue with the Connect Programme Board to ascertain the best means for delivering this desired outcome, ensuring as many potential operating systems are considered and therefore reducing overall duplicity.