

Meeting	SPA Policing Performance Committee
Date	17 March 2022
Location	Video Conference
Title of Paper	Taser Advisory Group Update
Presented By	Chief Superintendent Thom McLoughlin, Operational Support
Recommendation to Members	For Discussion
Appendix Attached	Yes Appendix A -list of attending Advocacy Groups Appendix B - Copy of draft Terms of Reference Appendix C - Copy of Group Action Log

PURPOSE

The purpose of this paper is to update members on the work of the newly established National Taser Advisory Group (NTAG).

Members are invited to discuss the content of this report

1. BACKGROUND

- 1.1 In January 2021 the Police Scotland Strategic Leadership Board approved a new operating model for Specially Trained Officers (STO's) across Scotland which would see the number of STO's be increased from the current cadre of around 500 to around 2000 over the next 3 years. This model was presented to the SPA Policing and Performance Committee on the 1 September 2021 and approved.
- 1.2 A further paper on Taser use on persons under 18 was presented to the committee on 9 December 2021. This paper made reference to the work ongoing to establish a National Taser Advisory Group. During this meeting, members requested that a future report was to be brought back to the committee on the work the advisory group are undertaking.

2. FURTHER DETAIL ON THE REPORT TOPIC

- 2.1 To support the uplift in Specially Trained Officers (STOs), a local and national Communications and Engagement plan was implemented. This involved Local Policing Commanders engaging with their local scrutiny committees and providing further information and detail as required around the impact of this change in their local communities. Nationally, engagement and information sessions were delivered with a number of interest and advocacy groups which has resulted in excellent feedback which has further informed our training, processes and EqHRIA.
- 2.2 As a result of these engagement sessions, a number of Advocacy groups agreed to take part in a National Taser Advisory Group (NTAG) where they will review, advise and provide valuable oversight and interaction with Police Scotland and our use of Taser.
- 2.3 Prior to establishing the group, Police Scotland made approaches to the NPCC Less Lethal Weapons Portfolio around the work conducted by the National Taser Stakeholder Advisory Group, currently in operation in England, Wales and Northern Ireland. This provided valuable insight and direction on how Police Scotland could establish and implement our group.
- 2.4 The first meeting of the NTAG was held on Friday 4 February, chaired by the STO Tactical Lead, with 11 representatives in attendance. A list of attending Advocacy Groups is contained within **Appendix A**. In general, these groups represented sections of our communities such as disability, mental health, children's

rights, human rights and academics. These were supported by Police Scotland representatives from areas such as Mental Health and Suicide Prevention, Children and Young Persons and Equality and Diversity Advisors.

- 2.5 Draft Terms of Reference (TOR) have been developed. This is currently out for consultation by members of the group which will hopefully be approved at the next meeting. A draft of the TOR is contained within **Appendix B**.
- 2.6 The key function of the Group is to act as a 'critical friend' providing advice on all aspects of Taser use by Police Scotland with regard to its impact across the wider community wellbeing and how any potential impact may be mitigated. The key TOR are:
- Provide oversight, advice and scrutiny to Police Scotland on its use of Taser
 - Provide input to Taser policies, strategies and procedures as and when preferable
 - Report on key issues affecting human rights in communities of interest to members
 - Provide a strategic overview of Taser use in Scotland in relation to impact or potential impact of Taser use by Police Scotland
 - To review and advise on engagement activities to ensure communities are aware of any proposed changes ensuring they are provided with opportunity to feedback
 - Review Taser use data and, where necessary, specific Taser use reporting forms and relevant footage, as and where appropriate
 - Help to inform the Equality & Human Rights Impact Assessment of any review of Taser policy and procedure

2.7 Summary of Meeting

- 2.7.1 Attendees welcomed the formation of this group which showed Police Scotland were taking an open and transparent approach to Taser use and welcomed the opportunity for two-way communication and learning, and also the opportunity for Police Scotland to be held to account. The formation of the group will hopefully assist Police Scotland in reducing the impact of Taser use in communities, especially those most vulnerable to Police use of force.
- 2.7.2 During the meeting, all STO Taser deployment data held by Police Scotland was shared with the group. This was welcomed by the members. Information on training was also shared. Further specific

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discussion were held and below is a summary of the main points raised:

- More information and improved specific engagement should be provided to communities in respect of the potential medical implications of Taser use, especially those living with medical conditions, medical disabilities, neuro diverse conditions, mental health and children. This included the potential psychological effects
- Improved training around interacting and communicating with persons who are vulnerable
- There is a wide knowledge gap in relation to Taser use and also the longer term psychological effects on persons who have been subjected to Taser discharge, especially in the UK/Scottish context
- Work should be undertaken to establish the reasons behind the higher use on those in mental health crisis and what can be done to mitigate this use
- Police Scotland should publish more detailed Taser deployment data and make it more readily accessible to the public. It was highlighted that current data provided publically appears to have been published silently in an obscure part of the Police Scotland website and that it is insufficient and difficult to find and access. This can have a negative effect in relation to public perception. It was also highlighted that data published in England and Wales covers more detail and is more readily accessible
- Police Scotland's data on Taser compares very favourably with the corresponding data published by English and Welsh police forces
- Details of specific incidents (personal details/locations etc. removed) be provided to the group to allow for increased transparency and scrutiny
- Concerns were raised around Taser use on children, and specific reference was made to the United National Committee on the Rights of the Child which calls for the end of Taser use on Children
- Academic research should be commissioned to gain a better understanding of the impact of Taser use on communities
- Membership of the group to be reviewed to include racial equality advocates (It should be noted that invitations were sent to a number of racial equality advocacy groups but no responses were received)

2.8 Next Steps

2.8.1 All responses were documented and an action plan to address and respond has been developed which will be shared with the group. It should be noted that following feedback from the engagements sessions held last year, a number of improvements to training and how data is collected have already been implemented. **Appendix C** contains the action plan.

2.8.2 The main actions to be explored following the first meeting of the group are:

- How Police Scotland can improve communication to communities around Taser use?
- How training can be improved in relation to interacting with vulnerable persons in a conflict situation?
- Now that STOs have been present in communities since 2018, should further academic research be commissioned?
- Deep dive into Taser use on those in mental health crisis to establish causal factors and potentially reduce use.
- Examine methods to make deployment data more accessible and comprehensive and include comparisons to other tactical options used and injuries sustained.
- Develop a child specific impact assessment
- Invite members of the group to review training materials and observe training to gain a better understanding of Taser use.
- Review membership of the group.
- Review and agree TOR.

2.8.3 The next meeting of the group is scheduled to take place in May 2022.

3. FINANCIAL IMPLICATIONS

3.1 There are no financial implications associated with this report.

4. PERSONNEL IMPLICATIONS

4.1 There are no personnel implications associated with this report.

5. LEGAL IMPLICATIONS

5.1 There are no legal implications associated with this report.

6. REPUTATIONAL IMPLICATIONS

- 6.1 There are reputational implications associated with this paper.
- 6.2 Failure to fully engage with the group and communities or be open and transparent may be detrimental to the reputation of the organisation.

7. SOCIAL IMPLICATIONS

- 7.1 There are social implications associated with this report
- 7.2 Full engagement with NTAG may see improvements in Police legitimacy and service delivery and positively impact the communities we serve.

8. COMMUNITY IMPACT

- 8.1 There is a community implication associated with this report
- 8.2 Police legitimacy and service delivery to local communities could be compromised with a failure to fully engage with the group.

9. EQUALITIES IMPLICATIONS

- 9.1 There are equalities implications associated with this report
- 9.2 Failure to fully engage with the group may result in continued disproportionate use on persons in mental health

10. ENVIRONMENT IMPLICATIONS

- 10.1 There are no environmental implications associated with this report

RECOMMENDATIONS

Members are invited to discuss the content of this report.

Appendix A

List of attending Advocacy Groups

Amnesty International
Epilepsy Scotland
Scottish Autism
ARC Scotland
Scottish Commission for Learning Disabilities
The Alliance
NHS 24 Mental Health Lead
Children & Young People's Centre for Justice
People First
Napier University
British Deaf Association

Appendix B

National Taser Advisory Group Terms of Reference

Name

The official name of the Group is the National Taser Advisory Group (hereafter, the Group).

Background

Following a decision to uplift the number of officers who carry Taser in Scotland, an engagement exercise was conducted with advocacy groups who were suggested by Police Scotland Safer Communities Unit. A number of engagement sessions were conducted and as a result it was determined that a standing group, comprising of members of advocacy groups be established to review, provide oversight and advise Police Scotland on its use of Taser. Input provided by this group will assist Police Scotland's decision making relevant to its use of Taser.

Chair – Superintendent, Taser Tactical Lead

Meeting Frequency – Quarterly (initially via MS Teams)

Secretariat - Taser Policy and Compliance Unit Sgt

Police Scotland Membership- Superintendent, Taser Tactical Lead
Inspector, Taser Operational Lead
Sergeant, Taser Policy and Compliance Unit (Secretariat)
Representative-Safer Communities (Equality and Diversity)
Representative-Safer Communities (Mental Health and Suicide Prevention)
Representative- Safer Communities (Children and Young People)

Function and Terms of Reference

The key function of the Group is to act as a 'critical friend' providing advice on all aspects of Taser use by Police Scotland with regard to its impact across the wider community wellbeing and how any potential impact may be mitigated.

Terms of Reference

- Provide oversight, advice and scrutiny to Police Scotland on its use of Taser
- Provide input to Taser policies, strategies and procedures as and when preferable

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- Report on key issues affecting human rights in communities of interest to members
- Provide a strategic overview of Taser use in Scotland in relation to impact or potential impact of Taser use by Police Scotland
- To review and advise on engagement activities to ensure communities are aware of any proposed changes ensuring they are provided with opportunity to feedback
- Review Taser use data and where necessary specific Taser use reporting forms and relevant footage, as and where appropriate
- Help to inform the Equality & Human Rights Impact Assessment of any review of Taser policy and procedure

Supporting Functions

- The Group will be consulted in advance of all major decisions and developments relating to Taser deployment, training, use, or oversight by the Police in order that the group may provide critical advice, at the earliest possible stage.
- Where appropriate, have the opportunity to comment on relevant papers before they are presented to the Force Executive, SPA or other key decision-making bodies
- Where sudden operational requirements call for urgent discussion outside the Group's regular meeting schedule, an extraordinary meeting will be convened to enable the Group to continue to fulfil its function in these situations
- Where policy proposals are shared with the Group for comment, the Chair of the Group will collate feedback on the document from the members of the Group. The Chair will then be expected to provide the Group with a response to their comments detailing i) whether they have been accepted and why/why not; ii) if suggestions have been accepted, how they will be implemented. This mechanism allows Group members to provide individual feedback, but does not stop the Group from issuing a joint response if they see fit
- So that it can fulfil its function, Group activities may include, but shall not be limited to, scrutiny of: recruitment and training of Taser officers; Taser training; and other relevant activities

The group's role is NOT to:

- Investigate complaints around individual instances involving police use of the weapon, or provide comment as a group on ongoing investigations or incidents.
- Replace broad public consultation around the weapon and its roll-out.

Membership of the group does not stop individual members from commenting on such cases should they wish to do so.

Membership of the Group

Membership of the Group will be open to any individual who has interest or insight in Police use of Taser and its impact on communities.

Membership of the Group will be regularly reviewed in order to ensure inclusion of participants from a broad range of equality & human rights advocacy groups and stakeholder organisations. The Group may also invite individuals or organisations to attend one or more of the meetings. Sources of desired expertise include human rights, equalities, children and young people, age-related concerns, community groups, academia, medical, disability, and mental health expertise.

Appointment to the National Taser Advisory Group will be the decision and responsibility of the Group, in consultation with the Chair.

Meetings

The Group will meet regularly, initially once every 4 months, with dates to be set as far ahead as members find convenient. Ad hoc meetings or email discussions can also be conducted, where necessary and appropriate. The Police Scotland Secretariat will have responsibility for organising and hosting meetings

Operating Protocols

Members are expected to allow and encourage all colleagues to fully participate in discussions in an open, free, and constructive manner and to treat others with respect.

The Group will operate on the basis of transparency where possible (see the following section on Provision and Confidentiality of Information) and will make minutes of its meetings publicly available.

It is a fundamental principle of the Group that it and its members shall not practice adverse discrimination of any kind.

Provision and Confidentiality of Information

In order to fulfil its primary purpose of offering to Police Scotland, the Group must be given relevant, up-to-date information to allow it to effectively provide input

Access to some information may, though, be prohibited by law (e.g. the Official Secrets Act or General Data Protection Regulation), or restricted by commercial interest or non-disclosure agreement. Additionally, and exceptionally, certain information may be so sensitive that it must be kept confidential. This might include confidential matters relating specifically to individuals, specific intelligence in relation to a proposed sensitive policing operation, or intelligence that might compromise the safety of individuals, the police, or the public at large. It could also include details of tactics and techniques that disclosure of which could compromise officer and public safety.

There may be occasions where information is passed to the Group on the condition that it is to be kept confidential and not to be circulated outside

the membership. In such circumstances, the Chair will explain their rationale for this requirement. The secretariat in conjunction and discussion with the Chair of the Group shall be responsible for marking matters in papers confidential as they deem appropriate.

Members and other attendees shall keep such matters that are so agreed to be confidential. Failure to respect confidentiality will require the Chair of the Group to consider the deselection of the member concerned or exclusion from future attendance of the attendee concerned.

Dissolution Procedure

If the Chair decides at any time that it is necessary or advisable to dissolve the National Taser Advisory Group, it shall call an extraordinary meeting of all the members of the Group.

Miscellaneous

Members who advise Police Scotland are not liable for the outcomes of Police Scotland decision-making and are not answerable to the Police Service across the UK.

Police Scotland is not obliged to follow advice given by the Group, although appropriate explanations will be given where it does not.

Agreed.....

**National Taser Advisory Group
Action Log**

APPENDIX C
Copy of Group Action Log

No.	Date	Action	Action Owner	Update	Due / Update By	Status
1	04/02/2022	Group to review draft TOR and provide response at next meeting	Group		Next meeting	New
2	04/02/2022	Group to consider membership and who else should be included. This should include racial equality advocates	Group/Police Scotland		Next meeting	New
4	04/02/2022	More information and improved specific engagement should be provided to communities in respect of the potential medical implications of Taser use, especially those living with medical conditions, medical disabilities, neuro diverse conditions, mental health and children. This included the potential psychological effects	Police Scotland		Next meeting	New
5	04/02/2022	Improved training around interacting and communicating with persons who may be more vulnerable regarding Taser use How can training be improved in relation to interacting with vulnerable persons in a conflict situation?	Police Scotland		Next meeting	New
6	04/02/2022	Work should be undertaken to establish the reasons behind the higher use on those in mental health crisis and what can be done to mitigate this use	Police Scotland		Next meeting	New
7	04/02/2022	Police Scotland should publish more detailed Taser deployment data and make it more readily accessible to the public. It was highlighted that current data provided publically appears to have been published silently in an obscure part of the Police Scotland website and that it is insufficient and difficult to find and access	Police Scotland		Next meeting	New
8	04/02/2022	Details of specific incidents (personal details/locations etc removed) be provided to the group to allow for increased transparency and scrutiny	Police Scotland		Next meeting	New
9	04/02/2022	Concerns were raised around Taser use on children, and specific reference was made to the United National Committee on the Rights of the Child which calls for the end of Taser use on Children. Develop a child specific impact assessment?	Police Scotland		Next meeting	New
10	04/02/2022	Academic research should be commissioned to gain a better understanding of the impact of Taser use on communities	Police Scotland			
11	04/02/2022	How Police Scotland can improve communication to communities around Taser use	Police Scotland			
12	04/02/2022	Members of the group to be invited to review training materials and observe training to gain a better understanding of Taser use	Police Scotland			
13						
14						
15						
16						