

Investigation Findings

Submitted to British Transport Police

Discharge of Captor Incapacitant Spray

Injured Person: 32-year-old man

Location: Gordon Street, Glasgow

Date: 30 November, 2019

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6 March 2020



Public Facing Report

BACKGROUND

About 2017 hours on Saturday 30 November 2019, during an incident near to the public taxi rank at Gordon Street, Glasgow, British Transport Police (BTP) officers discharged Captor Incapacitant Spray twice at a 32-year-old man, while attempting to arrest him.

The man had been arrested following a disturbance within the taxi rank queue. He resisted and due to his increasingly aggressive behaviour police officers requested the assistance of other officers.

With the arrival of the other officers, there was a breakdown in the communication with the man due to various officers and a relative of the man all shouting at him at the same time.

As the man continued to struggle with officers, he was pulled to the ground to bring him under control. During the struggle a police officer became trapped under the man. The officers discharged Captor Spray twice, as the first discharge had no effect. The second discharge resulted in the officer being released and the man being brought under control and arrested.

Following his arrest, the man received a fiscal fine.

REFERRAL TO THE PIRC

British Transport Police referred the incident to the PIRC on 2 December 2019 in terms of the Police, Public Order and Criminal Justice (Scotland) Act 2006 as amended, and the Police Investigations and Review Commissioner (Investigations, Serious Incidents and Specified Weapons) Regulations 2013. Under the Act, all incidents of Police use of firearms, including the discharge of Captor, must be referred to the PIRC for independent assessment

PIRC INVESTIGATION

The PIRC undertook an investigation into the incident to determine if the discharge of the Captor spray was proportionate, necessary and justified in the circumstances. During the course of the investigation PIRC investigators obtained and reviewed statements from police witnesses. They examined command and control incident logs, CCTV evidence, training records and force standard operating procedures.



PIRC FINDINGS

The investigation finds:

- During the initial stages the presence of various police officers dealing with the incident resulted in confusion and a lack of communication which contributed to an overall lack of control.
- A more considered tactical approach to communicating with the man may have de-escalated the situation earlier.
- Given the escalation of the man's behaviour and his resistance while being arrested, the use of Captor Incapacitant Spray was proportionate, necessary and justified to bring the situation under control, free the officer who was trapped under the man and arrest him.

Recommendations

It is recommended that British Transport Police:

- Consider having the officers involved in the incident undertake officer safety refresher training including the tactical approach to communicating with persons acting aggressively and resisting arrest, and prisoner handling skills.