

# Investigation Report

Submitted to Police Scotland

Discharge of PAVA Irritant Spray (COVID-19)

Location: Hebrides

Date: 19 May 2020

26 June 2020



## BACKGROUND

On Tuesday 19 May 2020, following an incident in the Hebrides, a Police Scotland officer discharged PAVA irritant spray at a man.

Following a report of a disturbance from members of the public, police officers attended at a flat where they found a number of men drinking and ignoring the social distancing guidelines issued under emergency Coronavirus legislation. Police officers, using their emergency dispersal powers, warned the men and instructed them to leave and return to their own homes. Most of the men complied with the instruction.

However, one of the men, who had left the house, failed to follow police instructions to leave and remained outside. When police officers tried to speak to him, he brandished a glass bottle at them, struck an officer on the hand with the bottle and then threw the bottle at the other officers showering them with broken glass. Due to the level of violence being displayed by the man, one of the officers discharged PAVA irritant spray at him, but it failed to make contact.

The man then ran off and was pursued by the officers. On being arrested, he struggled violently and attempted to spit on the officers. He was brought under control and handcuffed.

The man appeared in court the following day and is awaiting trial.

## REFERRAL TO THE PIRC

On 21 May 2020, Police Scotland referred the incident to the PIRC 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 PAVA, must be referred to the PIRC for independent assessment.

## PIRC INVESTIGATION

The investigation focused on the police response to the incident under COVID-19 restrictions and procedures. PIRC investigators obtained statements from police officers, examined STORM Command and Control incident logs and briefing papers.

## PIRC FINDINGS

The investigation finds:



- The police officers involved in this incident conducted themselves professionally and appropriately.
- The use of the PAVA irritant spray was proportionate, necessary and justified to bring the situation under control, arrest the man and prevent injury to the officers.

