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**Originator: Chief Inspector Jane
Probert**

Decision number: D17-2018

Submitted to: Martin Surl, Police & Crime Commissioner for Gloucestershire

Subject: Spit and Bite Guard Pilot in Custody

Executive summary:

On the 1st October 2017 the Chief Constable, supported by the PCC agreed to a spit guard trial within custody, the trial concluded on 15th March 2018.

Spit guards have been deployed 8 times, all on adult males. Each deployment was reviewed by watching the cctv footage, reviewing the electronic detention log and requesting feedback from the Custody Officer. On each occasion the usage was deemed necessary and proportionate.

As a result of the review of the pilot and a reporting paper to M.E.B the deployment of spit and bite guards within custody is approved.

Consultation has included IAG, ICV, the community, Police Officers, Federation, OPCC and a media briefing ensuring a no surprises, transparent approach to the public.

Recommendation:

For the Police and Crime Commissioner to review the outcomes of the Spit and Bite Guard Custody Pilot and approve the paper for noting.

Outcome/approval by:

Date: 24 April 2018

Signature:

Spit and Bite Guard Pilot in Custody

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Public access to information

Information in this form and associated reports is subject to the Freedom of Information Act 2000 and the Elected Local Policing Bodies (Specified Information) Order 2011. Where it has been indicated that this is a decision of significant public interest, all of this form except Part Two will be made available on the website of the OPCC.

Any information that should not be automatically available on request should not be included in Part One but instead on a separate Part Two form.

<p>Is this a decision of significant public interest?</p> <p><i>This includes a decision with any impact on the community, expenditure in excess of £50,000, or any decision that would be of obvious interest to the media or the general public</i></p>	<p>Yes. The topic of spit guards has been of media interest. However, the PCC and Chief Constable did a joint media release that was received well by the public and generated a positive interest.</p>
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<p>Is there a Part Two form?</p> <p><i>This section should only include information that, if published:</i></p> <ul style="list-style-type: none"> <i>a) would, in the view of the chief officer of the police, be against the interests of national security;</i> <i>b) might, in the view of the chief officer of police, jeopardise the safety of any person;</i> <i>c) might, in the view of the chief officer of police, prejudice the prevention or detection of crime, the apprehension or prosecution of offenders, or the administration of justice; or</i> <i>d) is prohibited by any enactment.</i> <i>e) breaches commercial sensitivity</i> 	<p>No</p>
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Originator checklist (must be completed)	Comments including who has approved the report if applicable
Has legal advice been sought on this submission if required?	Legal consulted.
Has the Chief Finance Officer been consulted, if required?	Finance consulted.
Have equality, diversity and human rights	HR consulted.

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implications been considered, as appropriate?	
How is the recommendation consistent with the objectives of the Police and Crime Plan?	Information on usage of any spit guard deployment will be recorded and available. Accountability and accessibility.
Has consultation been undertaken with people or agencies likely to be affected by the recommendation?	IAG, ICV, local community via media, Police Officers, Federation, OPCC.
Has communications advice been sought on areas of likely media, community, staff or partner interest and how they might be managed?	Yes corporate communications and OPCC consultation.
Have all relevant implications and risks been considered?	Risk assessments, training, standard operating procedures have been designed.

Part One – For publication

1. Purpose of the report

The purpose of the report is to update the PCC's Governance Board regarding the outcome of the Spit and Bite Guard pilot within Compass House, trialled between 1st October 2017 and 15th March 2018.

2. Background

Two papers have been provided to M.E.B in relation to assault by spitting and the use of Spit and Bite Guards. The first paper approved the pilot within custody and the second provided the outcomes of the trial, which will be outlined within this paper for noting.

The decision on whether or not to make Spit and Bite guards available to officers is down to individual Chief Constables. The NPCC recommendation is that forces give serious consideration to the issue of spit protection to all front line officers.

As of June 2017, a total of 25 of the 43 forces NPCC represent have approved the use of spit and bite guards. The NPCC Health, Safety and Welfare working group in 2016 commissioned a study into the use of spit protection. Representatives from those forces currently issuing spit protection have reported no complaints during the history of their deployment.

Within Gloucestershire in 2016 there were 12 reported incidents of officers being assaulted by 'spitting'. During 2017 a total of 25 officers recorded assault by spitting. It is likely these numbers are higher but reporting mechanisms had not previously included assault by spitting. This has now been amended.

It is important to note that Chief Constables have a duty under s2(1) Health and Safety at Work Act 1974 to provide safe systems of work. Contagious suspects spitting blood and saliva is a foreseeable risk that officers are likely to have to deal with at some point during their duties.

To date the Spit Guard has been deployed 8 times in custody. Each incident was reviewed by an appointed Custody Officer who is also an Officer Safety Trainer. This has included reviewing CCTV, reviewing the electronic detention log and providing feedback where necessary to ensure learning and best practice.

Each of the deployments has been on adult males who have been demonstrating violent or threatening behaviour, whilst spitting or threatening to spit. The deployments have been deemed necessary and proportionate on each occasion.

On one occasion a detainee was left unattended in the holding bay in view of officers. Detainees must never be left unattended wearing a Spit Guard. He attempted to remove the guard even though he was restrained, the officers were able to intervene immediately and feedback was provided to all concerned.

Overall the usage has been relatively low which is an indicator of careful application of the national decision making model to ensure a proportionate use of deployment.

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All deployments will be recorded as 'use of force' and reported to the Home Office. Therefore we can ensure accurate recordings of use, and accountability to the public in line with Police and Crime Plan.

(See Appendix A for records of Spit and Bite Guard deployment).

3. Recommendation(s)

PCC Governance Board to review the outcomes of the Spit and Bite Guard Custody Pilot, and approve the paper for noting.

4. Financial and resource implications

Costs of the spit guards are minimal and there is no regional procurement agreement in relation to a particular product. The cost per item is approximately £1.75 each.

5. Risk assessment

Risk assessments, standard operating procedures and training plans have been written.

6. Equality & Diversity impact assessment

Not at this stage.

7. Environmental impact assessment

Not at this stage.

8. Consultation

Consultation has included IAG, ICV, the community, Police Officers, Federation, OPCC and a media briefing ensuring a no surprises, transparent approach to the public.

9. Discussed with Communications & Engagement

The PCC and Chief Constable conducted a joint media release. The PCC has published a video available on the OPCC Web-site.

10. Conclusion

The paper provides an oversight of the results of the Spit and Bite Guard pilot within Compass House. Its usage has been assessed, monitored and reviewed and deemed a success by the Constabulary, resulting in ongoing deployments within the custody arena.

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Originator approval

Name: Chief Inspector Jane Probert

Job title: Chief Inspector CJD

Signature: J.Probert

Date: 19/4/18

Chief Executive approval

I am satisfied that relevant advice has been taken into account in the preparation of the report and that this is an appropriate request to be submitted to the PCC.

Signature: 

Date: 19 April 2018

APPENDIX A



OPCC Appendix A
Spit Guard Usage.doc