

## **DMPC Decision – PCD 725**

### **Title: MPS 2020 Taser Uplift**

#### **Executive Summary:**

Increase the total number of officers trained in the use of Taser to 10,000 across the MPS. The intention is to achieve this uplift within two years, from April 2020 to 2022. A corresponding increase in the physical number of Taser devices is required.

The use of Taser often results in a reduced use of force when compared to other traditional tactics and may also reduce the likelihood of injury to subjects and officers. The mere presence of Taser, and the 'red-dot' tactic when aimed, is an excellent deterrent and de-escalation tool, 91% of Taser uses across the MPS in 2019, did not result in Taser actually being fired.

The decision to uplift the number of Taser officers is essential to protect the most vulnerable members of the community and deliver a proportionate and accountable service to the communities we serve. The focus of this increase will be on the Emergency Response and Patrol teams, the 24/7 officers most likely to be deployed to violence and knife related crime necessitating additional protection for the public, subjects and officers. A small uplift on proactive teams, Roads Policing and Dog section was also agreed to provide enhanced tactical options officers in high risk roles.

#### **Recommendation:**

The Deputy Mayor for Policing and Crime is asked to:

- a) Approve the funding to purchase Taser devices and the associated equipment, at a cost of £7 million in 2020/21, £5.8 million in 2021/22 and ongoing costs of £6.9 million thereafter. All costs are within approved MPS budgets
- b) Approve acceptance, if successful, of the bid for Home Office funding for assistance in purchasing devices and warranties only. The MPS have bid for approximately £1.9 million.
- c) Delegate award of a call-off contract for five years to purchase Taser devices and the associated kit and equipment (£5.4 million) to the Director of Commercial. (This is included in the overall funding request)
- d) Delegate award of a call-off contract for five years to purchase Taser cartridges (7.2 million for Taser uplift and £4.6 million annual ongoing) to the Director of Commercial. (This is included in the overall funding request)

#### **Deputy Mayor for Policing and Crime**

I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct. Any such interests are recorded below.

The above request has my approval.

**Signature**

**Date**

31/3/20

A handwritten signature in black ink that reads "Steve Hender". The signature is written in a cursive style and is contained within a rectangular box.

## **PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE DMPC**

### **1. Introduction and background**

- 1.1. With the demands placed on officers, the nature of the incidents they may have to respond to and the current picture with regards to violent crime, it is important that the MPS are satisfied appropriate measures are in place to protect our officers and staff. Taser is widely recognised across UK policing and within MPS as such a measure
- 1.2. The overall strategic objective is to increase the total number of officers trained in Taser to 10,000. This increase will be focused within Emergency Response Policing Teams (ERPT), Roads and Transport Policing Command (RTPC) and Dog Support Unit (DSU).
- 1.3. By increasing Specially Trained Officers (STOs) within these teams the MPS will enhance the availability of Taser across London. In order to achieve the required effect, the MPS will need to procure new Taser devices to increase by 2,151 overall, and increase the number of Taser trained officers by 2,855. There will be a very significant training requirement to achieve this.
- 1.4. This case for change and the plans to increase Taser availability have been announced internally and externally by the MPS Commissioner.

### **2. Issues for consideration**

- 2.1. With increasing demands placed on officers, the nature of the incidents they may have to respond to and the current threat picture (indicating a steady rise in knife and violent crime), It is important that the MPS are satisfied that appropriate measures are in place to protect the public and our officers/staff.
- 2.2. Taser is a tactical option which plays an important role in keeping officers and the public safe and has been shown to have saved the lives of officers and public alike.
- 2.3. The objective is to increase the total number of officers trained in the use of Taser to 10,000 across the MPS. The intention is to achieve this uplift within two years, from April 2020 to 2022. A corresponding increase in the physical number of Taser devices is required to ensure a 2:1 ratio officer to devices is maintained. The project requirements are listed below;
  - Train an additional 2855 Taser officers across the MPS.
  - Purchase sufficient Taser X2 and T7 devices, cartridges, consumables and associated hardware for operational use and to facilitate training.
  - Create a dedicated instructional and delivery Taser Team of 60 officers and staff.
  - Secure suitable facilities for additional Taser training.
  - Provide additional facilities for Taser storage, issue and return on BCUs.
- 2.4. The uplift to 10,000 taser trained officers will provide a greater geographical spread of Taser specially trained officers (STOs) to respond swiftly and dynamically to violent incidents where Taser may be deployed as a tactical option
- 2.5. A de-escalation of violent incidents due to the mere presence of Taser reduces injuries to the public and police officers alike

- 2.6. Increased public confidence and reassurance where incidents are resolved by well-equipped officer deploying with a Taser.
- 2.7. Property Services Department are fully engaged with this project and are assisting with the provision of storage, training and facilities from within the MPS estate.

### **3. Financial and Commercial Comments**

- 3.1. The total cost of the uplift including purchasing the Taser devices and the associated equipment, is £7m in 2020/21, £5.8m in 2021/22 and ongoing costs of £6.9m thereafter. All costs are within approved MPS budgets. A bid has been made to the Home Office for £1.9m and if successful will reduce these costs in 2020/21.
- 3.2. Note that the costs above were calculated excluding Home Office funding, as confirmation of the grant is not expected until late March 2020. The grant award will straddle two financial years with 25% awarded in 2019/20 and 75% in 2020/21. Upon receipt of this grant the MPS will reduce the Taser budget accordingly in Year 1.
- 3.3. Note that the creation and implementation of a permanent Taser delivery and instructional team consisting of 46 instructors and 14 delivery & support team (BWT 60 total).
- 3.4. Conductive Electronic Devices (CED's) are a controlled firearm and only products approved by the Home Office may be used by police forces. It is proposed that the Home Office National Framework for Conductive Electronic Devices is used as the route to market for the CED's. The recommendation is to purchase the devices on a premium package (T60) which provides all necessary cartridges, batteries etc. including a 5-year warranty, as opposed to buying the items individually as this represents best value.
- 3.5. Whilst the framework currently only has the X2 device, it is expected that the T7 device will be approved shortly and included on the framework. However, the Home Office has agreed that the MPS can bid for the funds and buy either X2 or T7 devices, depending on whether the T7 is approved. The remainder of the equipment would be purchased from 2020/2021 financial year, using MPS funds. The Home Office grant, if awarded, would be off-set against Year 1.
- 3.6. The Home Office National Framework with Axon is the preferred route to market. This is a compliant route to market, with MOPAC as an eligible user of it. Their requirements are within the contracts financial and technical scope.
- 3.7. Crown Commercial Services guidance (2016) on the use of framework agreements provides that the duration of call-off contracts may extend beyond the term of the overarching framework agreement. It further provides that the duration of call-off contracts may be for longer than four years taking into account factors such as the time needed for their performance and where maintenance of equipment with an expected useful life of more than four years is included etc. This report recommends award of a call-off contract for a period of five years.

### **4. Legal Comments**

- 4.1. MPS Directorate of Legal Services were fully consulted during this process and do not foresee any legal implication with the option proposed within this paper.

- 4.2. The Mayor's Office for Policing Crime is a contracting authority as defined in the Public Contracts Regulations 2015 ("the Regulations"). All awards of public contracts for goods and/or services valued at £189,330 or above will be procured in accordance with the Regulations. This report confirms that the request exceeds the £181,302 threshold and therefore the PCRs are engaged.
- 4.3. Paragraph 4.8 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime has delegated authority to approve business cases for revenue or capital expenditure over £500,000 or above; and accept all offers made for grant funding.
- 4.4. The MOPAC Scheme of Delegation and Consent (Scheme) provides the Director of Strategic Procurement has consent to approve the award of all contracts, subject to the agreed call in procedure. The Deputy Mayor for Policing and Crime reserves the right to call in proposals to award contracts valued at £500,000 or above.

## **5. GDPR and Data Privacy**

- 5.1. The MPS is subject to the requirements and conditions placed on it as a 'State' body to comply with the European Convention of Human Rights and the Data Protection Act (DPA) 2018. Both legislative requirements place an obligation on the MPS to process personal data fairly and lawfully in order to safeguard the rights and freedoms of individuals.
- 5.2. Under Article 35 of the General Data Protection Regulation (GDPR) and Section 57 of the DPA 2018, Data Protection Impact Assessments (DPIA) become mandatory for organisations with technologies and processes that are likely to result in a high risk to the rights of the data subjects.
- 5.3. The Information Assurance and Information Rights units within MPS will be consulted at all stages to ensure the service meets its compliance requirements. The programme does not use personally identifiable data of members of the public, so there are no GDPR issues to be considered. If the project uses personally identifiable data of members of the public at a later date DPIAs will be completed as needed.

## **6. Equality Comments**

- 6.1. This business case has undergone initial equality screening. Due regard has been taken to the Equality Act's Public Sector Equality Duty. Real consideration has been taken to assess equality impact caused by the proposed business changes.
- 6.2. Understanding the impact of Taser on officers as well as the equality impact of making devices widely available is essential. Taser use, training and availability has an impact across a number of protected characteristics which have been considered and mitigated where possible.
- 6.3. The decision to uplift the number of Taser officers is essential to protect the most vulnerable members of the community and deliver a proportionate and accountable service to the communities we serve. Tasers were first introduced into Boroughs in 2012. At the time, a comprehensive engagement process was undertaken in order to secure the support of local communities for this change of policy, as well as informing an assessment

of the impact on equality and diversity. The MPS 'Firearms and Taser Reference Group' was formed, which still meets regularly to scrutinise the use of Taser by the MPS.

- 6.4. As there are existing Equality and Diversity assessments for the deployment of Taser the proposals in this paper do not significantly change the impact. The Firearms and Taser Reference Group have been briefed and consulted on this uplift.

**Public access to information**

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOIA) and will be made available on the MOPAC website following approval.

If immediate publication risks compromising the implementation of the decision it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary.

**Part 1 Deferral:**

Is the publication of Part 1 of this approval to be deferred? NO

If yes, for what reason:

Until what date: N/A

**Part 2 Confidentiality:** Only the facts or advice considered as likely to be exempt from disclosure under the FOIA should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a **Part 2** form – Yes

**ORIGINATING OFFICER DECLARATION**

*Tick to confirm statement (✓)*

**Financial Advice**

The Strategic Finance and Resource Management Team has been consulted on this proposal.

✓

**Legal Advice**

The MPS legal team wrote this proposal.

✓

**Equalities Advice:**

Equality and diversity issues are covered in the body of the report.

✓

**Commercial Issues**

The MPS Commercial team have been consulted on the commercial issues within this report. The proposal is in keeping with the GLA Group Responsible Procurement Policy.

✓

**GDPR/Data Privacy**

- GDPR compliance issues are covered in the body of the report
- A DPIA is not required.

✓

**Director/Head of Service**

The Head of Workforce and Professional Standards has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.

✓

**Interim Chief Executive Officer**

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Deputy Mayor for Policing and Crime.

**Signature**

**Date** 20/3/20



**MPS 2020 Taser Uplift****MOPAC Investment Advisory & Monitoring meeting – 28<sup>th</sup> February 2020****Report by Insp Hayley Webb on behalf of the Chief of Corporate Services****Part 1 – This section of the report will be published by MOPAC. It is Classified as OFFICIAL – PUBLIC****EXECUTIVE SUMMARY**

In September 2019 a paper was submitted to MPS Management Board outlining the current position of Taser in the MPS and making recommendations for its future use and deployment.

The paper highlighted a variety of ways in which the deployment of Taser could be increased by uplifting the number of officers trained and extending the MPS units that are authorised to use Taser. The paper also recommended increasing Taser stock in order to maintain a two officer to one device ratio.

With increasing demands placed on officers, the nature of the incidents they may have to respond to and the current threat picture (indicating a steady rise in knife and violent crime), It is important that the MPS are satisfied that appropriate measures are in place to protect the public and our officers/staff.

The use of Taser often results in a reduced use of force when compared to other traditional tactics and may also reduce the likelihood of injury to subjects and officers. The mere presence of Taser, and the 'red-dot' tactic when aimed, is an excellent deterrent and de-escalation tool, 91% of Taser uses across the MPS in 2019, did not result in Taser actually being fired. Whilst the MPS recognises that Taser is not the panacea for officer safety, Taser is a tactical option which plays an important role in keeping officers and the public safe and has been shown to have saved the lives of officers and public alike.

The decision to uplift the number of Taser officers is essential to protect the most vulnerable members of the community and deliver a proportionate and accountable service to the communities we serve. The focus of this increase will be on the Emergency Response and Patrol teams (ERPT), the 24/7 officers most likely to be deployed to violence and knife related crime necessitating additional protection for the public, subjects and officers. A small uplift on proactive teams, Roads Policing and Dog section was also agreed to provide enhanced tactical options officers in high risk roles.

The objective is to increase the total number of officers trained in the use of Taser to 10,000 across the MPS. The intention is to achieve this uplift within two years, from April 2020 to 2022. A corresponding increase in the physical number of Taser devices is required to ensure a 2:1 ratio officer to devices is maintained.



The project requirements are listed below;

- Train an additional 2855 Taser officers across the MPS.
- Purchase sufficient Taser X2 and T7 devices, cartridges, consumables and associated hardware for operational use and to facilitate training.
- Create a dedicated instructional and delivery Taser Team of 60 officers and staff.
- Secure suitable facilities for additional Taser training.
- Provide additional facilities for Taser storage, issue and return on BCUs.
- Provide funding and resources to sustain this increase after the two-year uplift project concludes

## Recommendations

The Deputy Mayor for Policing and Crime, via the Investment Advisory and Monitoring meeting (IAM), is asked to:

- 1) Approve the funding to purchase Taser devices and the associated equipment, at a cost of £7m in 2020/21, £5.8m in 2021/22 and ongoing costs of £6.9m thereafter. All costs are within approved MPS budgets
- 2) Approve acceptance, if successful, of the bid for Home Office funding for assistance in purchasing devices and warranties only. The MPS have bid for approximately £1.9m.

Note: The costs above were calculated excluding Home Office funding, as confirmation of the grant is not expected until late March 2020.

- The grant award will straddle two financial years with 25% awarded in 2019/20 and 75% in 2020/21.
  - Upon receipt of this grant the MPS will reduce the Taser budget accordingly in Year 1.
- 3) To note the creation and implementation of a permanent Taser delivery and instructional team consisting of 46 instructors and 14 delivery & support team (BWT 60 total).
  - 4) Delegate award of a call-off contract for five years to purchase Taser devices and the associated kit and equipment (£5.4m) to the Director of Commercial. (This is included in the overall funding request)
  - 5) Delegate award of a call-off contract for five years to purchase Taser cartridges (7.2m for Taser uplift and £4.6m annual ongoing) to the Director of Commercial. (This is included in the overall funding request)

## Time sensitivity

A decision is requested from the Deputy Mayor **by April 2020**. This is to ensure legal compliance and to secure the existing commercial discount provided by the National framework for Conductive Energy Devices (CED) and associated equipment in time for the commencement of the Taser Uplift w/c 6<sup>th</sup> April 2020.

## Non-confidential facts and advice to the Deputy Mayor for Policing and Crime

With the demands placed on officers, the nature of the incidents they may have to respond to and the current picture with regards to violent crime, it is important that the MPS are satisfied appropriate measures are in place to protect our officers and staff. Taser is widely recognised across UK policing and within MPS as such a measure

### **Introduction and background**

The overall strategic objective is to increase the total number of officers trained in Taser to 10,000. This increase will be focused within Emergency Response Policing Teams (ERPT), Roads and Transport Policing Command (RTPC) and Dog Support Unit (DSU).

By increasing Specially Trained Officers (STOs) within these teams the MPS will enhance the availability of Taser across London. In order to achieve the required effect, the MPS will need to procure new Taser devices to increase by 2,151 overall, and increase the number of Taser trained officers by 2,855. There will be a very significant training requirement to achieve this.

This case for change and the plans to increase Taser availability have been announced internally and externally by the MPS Commissioner.

### **Issues for consideration**

- Greater geographical spread of Taser STO's to respond swiftly and dynamically to violent incidents where Taser may be deployed as a tactical option
- De-escalation of violent incidents due to the mere presence of Taser reduces injuries to public and police officers alike
- Increased public confidence and reassurance where incident are resolved by well-equipped officer deploying with Taser CED

### **Financial, Commercial and Procurement Comments**

Conductive Electronic Devices (CED's) are a controlled firearm and only products approved by the Home Office may be used by police forces. It is proposed that the Home Office National Framework for Conductive Electronic Devices is used as the route to market for the CED's. The recommendation is to purchase the devices on a premium package (T60) which provides all necessary cartridges, batteries etc. including a 5 year warranty, as opposed to buying the items individually as this represents best value.

Whilst the framework currently only has the X2 device, it is expected that the T7 device will be approved shortly and included on the framework. However, the Home Office has agreed that the MPS can bid for the funds and buy either X2 or T7 devices, depending on whether the T7 is approved.

The remainder of the equipment would be purchased from 2020/2021 financial year, using MPS funds. The Home Office grant, if awarded, would be off-set against Year 1.

The associated costs will be managed within existing MPS budgets

<b>Cost Breakdown</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>
<b>Tasers X2</b>	£998,176	£998,176	£998,176	£998,176	£998,176
<b>Tasers T7</b>	£542,250	£542,250	£542,250	£542,250	£542,250
<b>Cartridges</b>	£3,622,388	£3,622,388	£4,692,072	£4,692,072	£4,692,072
<b>Additional Accessories</b>	£444,969	£286,718	£270,324	£270,324	£270,324
<b>Instructor Training</b>	£44,080	£20,800	£30,880	£30,880	£30,880
<b>Overtime Budget</b>	£60,000	£60,000	£60,000	£60,000	£60,000
<b>Taser rooms</b>	£140,000	Nil	Nil	Nil	Nil
<b>Taser Laptops &amp; cables</b>	£12,249	£900	£900	£900	£900
<b>T7 IT Implementation</b>	£544,000	Nil	Nil	Nil	Nil
<b>Vehicle Lease</b>	£14,148	£14,148	£14,148	£14,148	£14,148
<b>Taser Training facility</b>	£300,000	£15,000	£15,000	£15,000	£15,000
<b>Police Staff costs</b>	£255,849	£255,849	£255,849	£255,849	£255,849
<b>Total</b>	<b>£6,978,109</b>	<b>£5,816,229</b>	<b>£6,879,599</b>	<b>£6,879,599</b>	<b>£6,879,599</b>

## Legal Comments

DLS were fully consulted during this process and do not foresee any legal implication with the option proposed within this paper.

MOPAC is a contracting authority as defined in the Public Contract Regulations 2015 (the PCRs). All awards of public contracts for goods or services valued at £181,302 or more must be procured in accordance with the PCRs. This report confirms that the request exceeds the £181,302 threshold and therefore the PCRs are engaged.

Paragraph 4.8 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime (DMPC) has delegated authority to approve business cases for revenue or capital expenditure over £500,000 or above; and accept all offers made for grant funding.

The Commercial Case section of the paper states that the Home Office National Framework with Axon is the preferred route to market. This is a compliant route to market, with MOPAC as an eligible user of it. Their requirements are within the contracts financial and technical scope.

Crown Commercial Services guidance (2016) on the use of framework agreements provides that the duration of call-off contracts may extend beyond the term of the overarching framework agreement. It further provides that the duration of call-off contracts may be for longer than four years taking into account factors such as the time needed for their performance and where maintenance of equipment with an expected useful life of more than four years is included etc. This report recommends award of a call-off contract for a period of five years.

The MOPAC Scheme of Delegation and Consent (Scheme) provides the Director of Strategic Procurement has consent to approve the award of all contracts, subject to the agreed call in procedure. The Deputy Mayor for Policing and Crime (DMPC) reserves the right to call in proposals to award contracts valued at £500,000 or above.

## **Equality Comments**

This business case has undergone initial equality screening. Due regard has been taken to the Equality Act's Public Sector Equality Duty. Real consideration has been taken to assess equality impact caused by the proposed business changes.

Understanding the impact of Taser on officers as well as the equality impact of making devices widely available is essential. Taser use, training and availability has an impact across a number of protected characteristics which have been considered and mitigated where possible.

The decision to uplift the number of Taser officers is essential to protect the most vulnerable members of the community and deliver a proportionate and accountable service to the communities we serve. Tasers were first introduced into Boroughs in 2012. At the time, a comprehensive engagement process was undertaken in order to secure the support of local communities for this change of policy, as well as informing an assessment of the impact on equality and diversity. The MPS 'Firearms and Taser Reference Group' was formed, which still meets regularly to scrutinise the use of Taser by the MPS.

As there are existing Equality and Diversity assessments for the deployment of Taser the proposals in this paper do not significantly change the impact. The Firearms and Taser Reference Group have been briefed and consulted on this uplift.

## **Privacy Comments**

The MPS is subject to the requirements and conditions placed on it as a 'State' body to comply with the European Convention of Human Rights and the Data Protection Act (DPA) 2018. Both legislative requirements place an obligation on the MPS to process personal data fairly and lawfully in order to safeguard the rights and freedoms of individuals.

Under Article 35 of the General Data Protection Regulation (GDPR) and Section 57 of the DPA 2018, Data Protection Impact Assessments (DPIA) become mandatory for organisations with technologies and processes that are likely to result in a high risk to the rights of the data subjects.

The Information Assurance and Information Rights units within MPS will be consulted at all stages to ensure the project meets its compliance requirements.

The project does not use currently personally identifiable data of members of the public, so there are no current GDPR issues to be considered. If the project uses personally identifiable data of members of the public at a later date DPIAs will be completed as needed.

## **Real Estate Implications**

PSD are fully engaged with this project and are assisting with the provision of storage, training and

issue facilities from within the MPS estate.

### **Environmental Implications**

As this is an extension of an existing service this work does not change any aspects relating to Environmental Implications.

### **Part 2 – This section refers to the details of the Part 2 business case which is NOT SUITABLE for MOPAC Publication.**

Part 2 of Business Justification is exempt from publication for the following reasons:

- Exempt under Article 2(2) (a) of the Elected Local Policing Bodies (Specified Information) Order 2011 (Data Protection Section 43 – Commercial Interests).
- The relevant sections under the FOIA that would exempt this information from disclosure:

Data Protection Section 40

Commercial Interest Section 43

The paper will cease to be exempt in April 2022 once the commercial aspect of this paper have been finalised and uplift concluded.