

Complaint matter Chelsea Bridge

Investigation into the contact police officers had with Mr Oladeji 'Deji' Omishore before his death.

> Independent investigation report

> Investigation information

Investigation name:	Chelsea Bridge
IOPC reference:	2022/170680
Investigation type:	Death or Serious Injury (DSI) with Complaints not subject to special procedures
IOPC office:	Canary Wharf
Lead investigator:	Michelle Grahle
Case supervisor:	Ruth Bassett
Director General delegate (Decision maker):	Adam Stacey
Status of report:	Final
Date finalised:	2 June 2023

> Contents

> Introduction	4
> The investigation	6
> Legislation, policies and guidance considered	7
> Other supporting documentation	21
> Summary of the evidence	26
> Analysis of the evidence	58
> Questions to be answered by the death and serious injury (DSI) investigation.	78
> Learning	79
> Next steps	80
> Summary for publication	Error! Bookmark not defined.
> Appendix 1: The role of the IOPC	82
> Appendix 2: Terms of reference	86

> Introduction

> The purpose of this report

1. I was appointed by the IOPC to carry out an independent investigation into the contact Metropolitan Police Service (MPS) officers had with Mr Oladeji 'Deji' Omishore prior to his death. Mr Omishore was Tasered on a number of occasions by MPS officers while on Chelsea Bridge. After being Tasered Mr Omishore jumped over the handrail and dropped into the River Thames. He later died after being pulled out of the river by the Royal National Lifeboat Institute (RNLI). This came to the attention of the IOPC on 4 June 2022 as a death and serious injury (DSI) referral. This later changed to a complaint investigation following concerns raised by Mr Omishore's family.
2. Following an IOPC investigation, the powers and obligations of the Director General (DG) are delegated to a senior member of IOPC staff, who I will refer to as the decision maker for the remainder of this report. The decision maker for this investigation is Operations Manager Adam Stacey.
3. In this report, I will provide an accurate summary of the evidence, and attach or refer to any relevant documents. I will also set out the evidence available relating to:
 - (a) The nature and extent of the police contact prior to the death, and
 - (b) Whether the police may have caused or contributed to Mr Omishore's death.
4. I will provide sufficient information to enable the decision maker to determine whether to refer any matter to the Crown Prosecution Service (CPS).
5. I will also provide sufficient information and evidence to enable the decision maker to form a provisional opinion on the following:
 - (a) whether any person to whose conduct the investigation relates has a case to answer for misconduct or gross misconduct or has no case to answer;
 - (b) whether or not disciplinary proceedings should be brought against any such person and, if so, what form those proceedings should take (taking into account, in particular, the seriousness of any breach of the Standards of Professional Behaviour);
 - (c) whether the performance of any person to whose conduct the investigation related is unsatisfactory and whether or not

performance proceedings should be brought against any such person; and

- (d) whether or not any matter which was the subject of the investigation should be referred to be dealt with under the Reflective Practice Review Process (RPRP).
6. I will also provide sufficient information and evidence to enable the decision maker to identify whether a paragraph 28ZA recommendation (remedy) or referral to the RPRP is appropriate.
 7. Where a complaint has been investigated but the investigation has not been subject to special procedures, I will provide sufficient information to enable the decision maker to determine whether:
 - the service provided by the police was acceptable; or
 - the service provided by the police was not acceptable; or
 - we have looked into the complaint, but have not been able to determine if the service provided was acceptable; and
 - to make a recommendation to any organisation about any lessons that may need to be learned.
 8. The IOPC will send a copy of this report and the decision maker's provisional opinion to the MPS. If the appropriate authority provides comments, then they must do so within 28 days. Where the appropriate authority disagrees with the content of the report or the decision maker's provisional opinion, they should set out the reasons why as fully as possible in their response and provide any supporting information. Having considered any views of the appropriate authority, the decision maker is required to make the final determination and to notify the appropriate authority of it.
 9. The decision maker may also make a determination as to any matter dealt with in the report. This may include a decision that a matter amounts to Practice Requiring Improvement (PRI) and as such should be dealt with under the Reflective Practice Review Process (RPRP) or a recommendation under paragraph 28ZA (remedy).
 10. Where Articles 2 or 3 of the European Convention on Human Rights (ECHR) are engaged, this investigation is also intended to assist in fulfilling the state's investigative obligation by ensuring as far as possible that the investigation is independent, effective, open and prompt, and that the full facts are brought to light and any lessons are learned.

> Other investigations

11. There will be a Coronial Inquest into the death of Mr Omishore.

> Background information about Mr Deji Omishore

12. Mr Omishore, aged 41, lived on his own in a flat near to Chelsea Bridge.
- R14B 13. Mr Omishore had been prescribed Mirtazapine on 31 May 2022. This is used to primarily treat depression.

> The investigation

> Terms of reference

14. Adam Stacey approved the terms of reference for this investigation on 20 June 2022 and these were amended on 27 July 2022. Copies of these were provided to Mr Omishore's family on 20 June 2022 and 27 July 2022. The terms of reference can be seen in full at appendix two, however, in brief they are:
15. To investigate with reference to local and national policies, procedures and training, the police contact with Mr Omishore on 4 June 2022, specifically:
- a) The information provided to Control Room staff by members of the public and dissemination of that information to officers;
 - b) The use of force and whether it was necessary, proportionate, and reasonable in the circumstances;
 - c) The communication between the officers and Mr Omishore;
 - d) Whether Mr Omishore was treated less favourably due to a protected characteristic;
 - e) The complaints raised by the family in relation to the MPS.
16. Complaints raised by the family:
- (a) The MPS putting out a press release at 3.15pm on 4 June when the investigation had already been declared independent by the IOPC;
 - (b) The MPS referring in that press release to Mr Omishore being "*armed with a screwdriver*" when the cigarette lighter had been seized by them and was in their possession. The family query what other press briefings were given by the MPS repeating the factual error;
 - (c) The 3.15pm press release also asserts that "*a Taser was discharged but this did not enable the officers to safely detain*

him". The family assert that this was irresponsible and should not have been made by the MPS as it pre-judges the independent IOPC investigation which was then under way, and again sets a prejudicial narrative against Mr Omishore in the public domain;

- (d) The delay in the lighter being handed over by the MPS to the IOPC and/or the MPS informing the IOPC that the exhibit was a lighter and not a screwdriver;
- (e) The immediate approach to Mr Omishore (who was presenting with mental health crisis and in distress) by PC Humphrey Tackie-yarboi and PC Ben Tugwell is a clear indication that PC Tackie-yarboi and PC Tugwell may not have exercised their duties and responsibilities diligently and in accordance with all of their training;
- (f) PC Tackie-yarboi and PC Tugwell may have used unnecessary and/or disproportionate force that was not reasonable in all the circumstances;
- (g) PC Tackie-yarboi and PC Tugwell may have behaved in a discriminatory manner towards Mr Omishore.

> Legislation, policies and guidance considered

17. During the investigation, I have examined relevant legislation, together with national and local policies and guidance, as set out below. This material will enable the decision maker and the appropriate authority to consider whether the police officers named in this report complied with the applicable legislation, policy and guidance, and whether the existing policies were sufficient in the circumstances.

> Use of force

> Police and Criminal Evidence Act 1984 (PACE)

18. Section 117 of PACE confers the powers on a constable to use reasonable force when executing the powers found in the Act including section 24 providing general powers to effect the arrest of someone suspected of committing an offence.

> Criminal Law Act 1967

19. Section 3 of this Act states that “*A person may use such force as is reasonable in the circumstances in the prevention of crime, or in the effecting or assisting in the lawful arrest of offenders or suspected offenders, or of persons unlawfully at large*”.

> Criminal Justice and Immigration Act 2008

20. Section 76 affirms that in criminal proceedings a person who uses force is to be judged based on the circumstances, as he or she perceived them.

> Common Law

21. The Common Law is created and refined by judges.
22. Common Law recognises that there may be circumstances in which one person may inflict violence on another without committing a crime. When there is an honestly held belief that someone may be in imminent danger, then a person may use force as is reasonable and necessary to avert that danger without being guilty of an offence.
23. Any force used is not unlawful provided it is reasonable in the circumstances.

> Mental Capacity Act 2005

24. Sections 5 and 6 of the Act, in effect, provide that persons including police officers may use force to restrain a person, who is unable make decisions in their own best interests because of mental impairment, if they reasonably believe that it is necessary to prevent harm to them and the force used is proportionate to the harm.

D216

> Court of Appeal – R (on the application of Officer W80) v Director General of the Independent Office for Police Conduct [2020] EWCA Civ 1301

25. This case confirms the test to be applied when considering an officer may have misconducted themselves by breaching the Use of Force standard of professional behaviour.
26. The decision confirmed the test to be applied is whether officers’ use of force was necessary, reasonable or proportionate in all the

circumstances, including the reasonableness of any honestly held mistaken belief.

> College of Policing (CoP) Authorised Professional Practice (APP) – Use of force

D233

27. The CoP recommends that the three core questions of use of force are considered in line with the ten key principles that govern the use of force by the police service. The three core questions are:

- *“Would the use of force have a lawful objective (for example, the prevention of injury to others or damage to property, or the effecting of a lawful arrest) and, if so, how immediate and grave is the threat posed?;*
- *Are there any means, short of the use of force, capable of attaining the lawful objective identified?*
- *Having regard to the nature and gravity of the threat, and the potential for adverse consequences to arise from the use of force (including the risk of escalation and the exposure of others to harm) what is the minimum level of force required to attain the objective identified, and would the use of that level of force be proportionate or excessive?”.*

D182

28. Amid these ten key principles, the most relevant to this case state:

- *“Police officers owe a general duty to protect persons and property, to preserve order, to prevent the commission of offences and, where an offence has been committed, to take measures to bring the offender to justice;*
- *Police officers may, consistent with this duty, use force in the exercise of particular statutory powers, for the prevention of crime or in effecting a lawful arrest. They may also do so in self defence or the defence of others, to stop or prevent an imminent breach of the peace, and to protect property;*
- *Police officers shall, as far as possible, apply non-violent methods before resorting to any use of force. They should use force only when other methods have proved ineffective, or when it is honestly and reasonably judged that there is no realistic prospect of achieving the lawful objective identified without force;*
- *When force is used it shall be exercised with restraint. It shall be the minimum honestly and reasonably judged to be necessary to attain the lawful objective;*
- *Lethal or potentially lethal force should only be used when absolutely necessary in self-defence, or in the defence of others against the threat of death or serious injury;*

- *Any decision relating to the use of force which may affect children, or other vulnerable persons, must take into account the implications of such status including, in particular, the potentially greater impact of force on them;*
- *Individual officers are accountable and responsible for any use of force, and must be able to justify their actions in law”.*

D234

> CoP APP – National Decision Model (NDM)

29. CoP states to *“help everyone in policing make decisions and to provide a framework in which decisions can be examined and challenged, both at the time and afterwards, the police service has adopted a single, national decision model”.*
30. The guidance states that during *“a fast-moving incident, the police service recognises that it may not always be possible to segregate thinking or response according to each phase of the model. In such cases, the main priority of decision makers is to keep in mind their overarching mission to act with integrity to protect and serve the public”.*
31. The NDM has six key elements:
 - Code of ethics;
 - Gather information and intelligence;
 - Assess threat and risk and develop a working strategy;
 - Consider powers and policy;
 - Identify options and contingencies;
 - Take action and review what happened.

D234

> CoP APP – Standards of Professional Behaviour (SOPB)

32. There are ten SOPB, which reflect the expectations that the CoP and members of the public have of the behaviour of those working within the police. Only the relevant SOPB in relation to this investigation will be provided.
 - Authority, respect and courtesy: *“I will act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy. I will use my powers and authority lawfully and proportionately, and will respect the rights of all individuals”;*
 - Equality and diversity: *“I will act with fairness and impartiality. I will not discriminate unlawfully or unfairly”;*

- Use of force: *“I will only use force as part of my role and responsibilities, and only to the extent that it is necessary, proportionate and reasonable in all the circumstances”*;
- Duties and responsibilities: *“I will be diligent in the exercise of my duties and responsibilities”*.

D235

> CoP APP – Conducted energy devices (Taser)

33. CoP provides guidance on the use of Taser for officers.
34. The Taser in use on 4 June 2022 was an X2 model. The length of the wires for this model is 7.6 metres.
35. The guidance states that on first contact with the subject, officers should normally:
 - *“Identify themselves as police officers and state that they are equipped with a CED*
 - *Clarify who it is they are seeking to communicate with*
 - *Communicate in a clear and appropriate manner”*.
36. The guidance states officers should provide a warning of their intent to use the Taser. It further states that officers should give sufficient time for that warning to be heeded *“unless to do so would unduly place any person at risk, or would be clearly inappropriate or pointless in the circumstances of the incident”*.
37. The guidance states officers should state *“Taser Taser”* when the device is in use as a warning to other people for their safety.

D211

> National Police Chiefs’ Council (NPCC) Personal Safety Manual (PSM) Module 03 – Use of Force

38. The NPCC PSM module three on use of force guides officers on the proportionate, reasonable and necessary use of force.
39. The module states force must only be used when it is:
 - *“reasonable in the circumstances*
 - *An absolute necessity*
 - *The minimum amount necessary*
 - *Proportionate to the seriousness of the case”*.
40. The module further states:

- *“Action taken must be proportionate in all the circumstances. An option is unlikely to be regarded as proportionate where a less injurious, but equally effective, alternative exists.*
- *There must be a legal basis for taking the action. This can derive from either common or statute law.*
- *Officers must be able to account for why they chose a particular course of action and, in some cases, what other options may have been available and why these were not chosen. They should record their decision.*
- *The action taken must have been necessary to carry out their lawful duty...”.*

D161

> NPCC PSM Module 05 – Personal Management

41. The NPCC PSM module five on personal management guides officers on how to safely approach a suspect, and provides an introduction to Taser.
42. The module provides some reasons as to why the use of Taser may have been ineffective. Some examples which may be of relevance to this investigation are:
 - Limited probe spread;
 - Single probe hit;
 - Total miss;
 - Probe placement;
 - Wires break.
43. The module states that you should *“never place your hands onto the subject unless directed to do so”*.
44. It confirms that officers who carry a Taser should normally identify themselves as a police officer with a Taser and communicate in a clear and appropriate manner.
45. The guidance states that officers should communicate when using a Taser by clearing stating *“Taser Taser”*, indicating that it is being discharged.
46. It further states that the Taser officer is ordinarily overall in charge of the incident and the subject until the threat has been managed.
47. It states that *“All officers should follow the CED [Taser officer] operation’s directions at all times where the CED [Taser] has been deployed. The CED operator [Taser officer] is responsible for establishing control of the subject, and that the wires do not interfere*

with other officers whilst securing that subject. Supporting officers should wait to be directed to assist at all times”.

48. The guidance states that *“supporting officers can safely handle, control and handcuff a subject during a CED [Taser] discharge. However they should avoid contact with the subject between the probe locations, the wires and probes themselves....Officers must be aware that secondary activations may be utilised even if they have been called to assist with the subject”.*
49. The module does state that CS spray is flammable. It states *“such vapours, in the correct ratio of vapour to air, can become explosive and there is significant risk they could be ignited by a discharging CED [Taser], presenting a hazard of serious and fatal injuries to all present, including the officer”.*

D220

> NPCC PSM Module 06 – Communication

50. The NPCC PSM module six on communication provides guidance to officers on effective communication, and how this can be utilised to prevent a conflict situation arising, diffuse conflict and control situations.
51. The guidance provides a four-stage sequence to handle confrontation. It states *“the officer **intervenes**, **calms** the individual, then builds **rapport** with them before finally achieving **control** over the situation and hopefully resolution of the conflict”.*
52. The guidance states there may be a number of factors which may become a barrier to effective communication, one of which may be mental ill health.
53. It states *“officers are not expected to diagnose mental ill health in individuals that they come into contact with”.* However, they may believe the person they are dealing with is experiencing mental distress or ill health.
54. The guidance states that *“occasionally officers may need to use loud, repetitive, verbal commands as a means of controlling the individual”.* This is known as crisis communication.
55. Crisis communication will be heard by the subject but it also assists in:
 - *“Alerting colleagues*
 - *Enabling witnesses to corroborate with what an officer was saying/shouting*
 - *Breaking through any auditory barriers that the subject may have*

- *Increasing the justification for use of force by the officer*
 - *Gaining control if commands are not complied with”.*
56. The guidance states when attempting to control an individual, the process of communication may be destroyed when officers talk over each other.
57. The guidance states officers must consider the environment and how it may impact on their ability to communicate effectively with an individual. It provides some examples of this such as: noise pollution, doors, other people, vehicles or distance.
58. It states *“officers should assess the situation and try to minimise or remove the barrier where possible. This may mean moving to another environment for example. If this is not possible the officer should assess the value in continuing to attempt to communicate at that point and re-evaluate their options”.*
59. The guidance provides some good practice on specific things to do when officers have contact with a person who may be experiencing mental ill health:
- *“Do not shout or use a raised voice, stay clam yourself.*
 - *Do not use threatening language...*
 - *If the person is sitting down try and sit at eye level.*
 - *Keep language appropriate to **the situation**.*
 - *Minimise the number of people needed to deal with the situation.*
 - *Use appropriate non-verbal communication”.*
60. It also provides some strategies for de-escalation when dealing with a person experiencing mental ill health. It states it will depend on the context and environment, however the following principles may be applied, but this is not an exhaustive list:
- *“Approach the individual calmly with a low consistent voice.*
 - *Be clear about what is happening...*
 - *As much as possible reassure the person that you are no physical threat to them...*
 - *Ask them if they need help...*
 - *Be alert to changes in behaviour and use instinct where worried...*
 - *Tell them you understand the situation is frightening.*
 - *Where possible calm the individual before any further action is taken...*

- *Be aware of physical stance and tone of voice...*
- *Summarise what the person has said to you.*
- *Use open ended questions where appropriate...*
- *Also, bearing in mind one simple fact, 'how would you treat them if they were a friend or relative' can sometimes alter your course of actions".*

D194-
D196

> MPS Taser training

61. PC Tackie-yarboi was trained in the use of Taser by the MPS. The following information has been taken from the course notes he attended.
62. As part of Taser training, officers have an input on how to engage with vulnerable persons. According to the training, this input is approximately 15 minutes in length.
63. It states there are two specific groups of vulnerable people: persons who are emotionally or mentally distressed (EMD) and persons who have learning disabilities.
64. The training defines a person as being emotionally or mentally distressed as "*an individual who may behave in an unexpected, extreme or challenging manner as a result of a mental health issue, or emotional distress*".
65. The explanatory notes state that "*the fact the subject is EMD does not in any way reduce the harm they may cause to themselves or others if the incident is not resolved. However, officers must be aware that an inappropriate or disproportionate response to someone experiencing EMD could, itself, escalate the situation, causing greater harm to the subject or to others*".
66. It further states that a failure to recognise and understand why someone may not be complying with instructions or communication could increase the tension of a situation.
67. In training around the NDM, it provides further guidance on officers engaging with vulnerable people. It provides a mnemonic of BUGEE to officers to help them remember how to diffuse a situation. BUGEE stands for:
 - B**e prepared to back off
 - U**se of effective cover
 - G**ive space and time if possible
 - E**arly negotiation

Evacuate immediate area

68. It states that using this approach may assist in allowing the mental or emotional distress to decrease, allow the tension to diffuse, and allow the officers time to plan.
69. The training provides further information to officers about associated risks of the use of Taser in certain circumstances. For example, if an officer needs to use Taser when near water, the officer should consider the risk of drowning as the Taser will continue to work in the water.
70. The training provides a further example of risks in relation to injuries from uncontrolled falls. It states that *“subjects at height are at increased risk in the event of CED [Taser] discharge. Subjects often lack the ability to control their fall, so are at increased risk if at height”*.
71. The training states that where a Taser has been discharged three or more times, and it has failed to incapacitate the subject, then officers should consider other use of force options and contingencies.
72. When using the Taser, the training states officers should give a warning to the person that they are an officer with a Taser. They should also give them sufficient time for the warning to be heeded.
73. The training states that following a discharge, officers should assess the probe placement and observe the subject for the effects of incapacitation. Once the officer has assessed that the discharge was effective they should then *“drop-off aim and adopt the ‘arc ready’ position, covering the arc switch”*. This position is demonstrated in the image below.



74. The training states this position is useful for several purposes:
 - *“It removes the officers focus away from the device and to the subject and surroundings*
 - *The officer is ready to extend or repeat the cycle by use of the arc switch, where lawful, proportionate and necessary*
 - *It develops muscle memory for the use of the arc switch and away from the trigger*

- *It limits the impact in the event of the second cartridge being accidentally discharged”.*
75. The training states detention under power is when it is proportionate to use the Taser by extending the cycle to maintain control of the individual. It states by doing this it may be more effective, reduce the overall use of force, but may also increase the risk of an adverse medical effect due to the prolonged discharge. The officer may say this “*detention under power*” whilst engaging the use of the Taser as a means of tactical communication.
76. The training states that the Taser officer can discharge the second cartridge if the first discharge appears to be ineffective (only one probe connected) or the subject has broken the wires. In this case, the Taser officer should consider their options, and if appropriate discharge the second cartridge.
77. Throughout the Taser training, it makes it clear that each use of the Taser must be lawful, proportionate, necessary and reasonable in the circumstances. Each use of force will need to be justified and a use of force form completed.

> Mental Health

D236

> CoP APP – Mental Health

78. This guidance provides information as to the duty of police when they are contacted about a person with mental ill health or vulnerabilities.
79. It states that “*forces must evaluate whether the service requested is that of enforcing criminal law, protecting the public (and preventing disorder) and/or protecting life and limb. Under any of these circumstances, the police have a duty to respond. Article 2 ECHR [European Convention on Human Rights] requires the state positively to protect the right to life. If the police know or ought to know of real and immediate risk to a person’s life from an act or acts of violence, they must do all that can reasonably be expected to prevent the risk from materialising*”.
80. The guidance provides information about de-escalation as a tactic for police officers to use to calm a person who appears to be agitated in an effort to reduce or prevent the use of force or restraint.
81. It further states “*verbal de-escalation and containing a disturbed or confused and vulnerable person in a calm, ideally familiar, and closed environment may be safer and less traumatic for the individual. It may reduce the need for physical restraint and sectioning*”.

D237

> CoP APP – Acute Behavioural Disturbance (ABD)

82. The guidance states that if a police officer has concerns that a person is displaying symptoms of ABD, they should be treated as a medical emergency.
83. It states that wherever possible, the person should be contained rather than restrained.
84. The symptoms of ABD include:
 - A state of high mental and physiological arousal – perceiving others as frightening and dangerous, ‘fight or flight’ reaction;
 - Breathing problems;
 - Agitation;
 - High body temperature and/or sweating – so may try to undress;
 - Violence, aggression and hostility;
 - Insensitivity to pain and incapacitant sprays.

D192

> NPCC Training on ABD

85. PC Tugwell has undertaken this training module, according to his training history.
86. The training provides scenarios of how ABD may present, and includes a list of signs and symptoms. Some examples are:
 - Unexpected physical strength
 - Hot to the touch, excessive sweating, removal of clothing
 - Bizarre and/or aggressive behaviour
 - Rapid breathing and increased pulse rate
 - Confused thinking and speech
 - Agitation, disorientation and hallucination
 - Paranoia with fear of impending doom
 - Insensitivity to pain.
87. The training states that ABD is “*when a person exhibits agitated, aggressive, violent and / or psychotic behaviour. Caused by adrenaline, stimulant drugs, mental health or medical conditions. The*

increased and sustained activity uses up more oxygen and produces more carbon dioxide”.

88. The training states that officers must “*take stock*” when it is safe to do so. This is important as the health of a vulnerable person can sometimes deteriorate rapidly and officers must follow their Emergency Life Saving (ELS) training.
89. The training provides the mnemonic ‘CAMERAS’ in relation to engaging with a person who has ABD. It stands for:
 - C** – contain, avoid/minimise restraint where possible
 - A** – ambulance, category 1 call
 - M** – monitor, vital signs
 - E** – explain (and listen) about what you are doing to person and family, use friends/family to reassure
 - R** – relay information to ambulance and from family
 - A** – ABD= A & E (never custody or 136 suite)
 - S** – sedation, healthcare sedation to reduce overdrive and restraint
90. The training states that ABD is to be treated as a medical emergency.
91. It also states that “*containment of the incident rather than restraint of the individual, where practicable, is preferable but not always possible/practicable*”.
92. The training states that police must consider the risks to life/serious injury being incurred by the subject but also members of the public and emergency services personnel.

D219

> NPCC PSM Module 04 – Medical Implications

93. The NPCC PSM module four on medical implications provides guidance to officers on how to eliminate unnecessary injury to both the subject and the officer by broadening their knowledge.
94. For the purposes of this report, only the section on ABD will be summarised.
95. The guidance states that ABD is when a “*subject exhibits violent behaviour in a bizarre and manic way than just being simply violent*”.
96. It provides a list of causes and symptoms of ABD which have been provided above in the NPCC training on ABD.

97. The guidance states when controlling a subject experiencing ABD, that it will be very difficult. It suggests that officers should consider containment first, where practicable, before any physical intervention.
98. It states that once the person has been controlled, they may continue to be extremely violent *“in spite of the use of handcuffs, sprays or batons. Such bizarre, exhaustive and persistent violent resistance is a classic indication of a severe brain agitation case. The officer must monitor them carefully, treating them as a medical emergency as they could collapse and die at any time”*.

> Discrimination

> Equality Act 2010

99. This Act provides protection for people in relation to discrimination.
100. It states that *“A person (A) discriminates against another (B) if, because of a protected characteristic, A treats B less favourable than A treats or would treat others”*.
101. There are nine characteristics which are protected by this Act, these are known as ‘protected characteristics’. These are:
- Age;
 - Disability;
 - Gender reassignment;
 - Marriage and civil partnership;
 - Pregnancy and maternity;
 - Race (including a person’s colour, nationality and ethnic or national origins);
 - Religion or belief;
 - Sex;
 - Sexual orientation.

> IOPC Guidelines for Handling Allegations of Discrimination

102. This guidance was originally written when the IOPC was the Independent Police Complaints Commissions (IPCC).

103. The guidance defines the following relevant protected characteristics:
- Disability: “*Any physical or mental impairment which has substantial and long term adverse effects on a person’s ability to carry out normal, day-to-day activities*”.
 - Race: “*This includes colour, nationality and ethnic or national origins*”.
104. The guidance states that in relation to disability this could include physical or learning difficulties as well as serious ongoing mental illness.
105. Direct discrimination: “*When someone is treated less favourable than another person because of a protected characteristic*”.
106. The guidelines advise that as well as seeking any direct evidence of discrimination the investigation might also assess whether discrimination may have taken place by examining the officers’ complaint history and patterns of behaviour, looking at comparator evidence – comparing how the complainant was treated against a person in the same or similar situation who does not have the same protected characteristic and making an assessment of language used, including language used in any records relating to the incident.
107. The guidance states a person can discriminate against another person even if they share the same protected characteristic.

> Other supporting documentation

D221

> A Protocol for Media Relations during Investigations by the Independent Office for Police Conduct (IOPC)

108. This protocol has been agreed between the IOPC and the NPCC.
109. It states the police service and the IOPC have a shared responsibility for communication with the media and the public during IOPC investigations. This is to ensure public confidence in the investigation and in the police complaints system as a whole.
110. The protocol states that a “*referral to the IOPC should not prevent the police force from commenting or responding to the media or public and referral should not be presented by the police as a justification for a lack of response to media questions*”.

111. It further states that forces should restrict their comments at the early stage to matters of fact, which cannot become disputed during the IOPC investigation.
112. The protocol states there may be occasions when incidents referred to the IOPC occur in public places and are witnessed and/or filmed by members of the public and *“in the absence of any further context, the police force is responsible for issuing factual information including:*
- *Why something has been referred to the IOPC/ reassurance that incident has been referred to an independent body*
 - *Information and circumstances around a pre-planned or intelligence-led operation that has led to a referral to the IOPC*
 - *Factually correct information about – (for example) – why police were in the area or numbers of police in the area*
 - *Commentary on any parallel criminal investigation by the police*
 - *Other matters impacting on local people or the wider public interest”.*
113. The protocol states the timing and content of any statement issued by the police is a matter for them. The IOPC can only make representations to the force.
114. It goes on to say that *“In the early stages of an IOPC investigation, the information which is available to it is likely to be incomplete and/or not independently verified. The IOPC will only state as fact that information which it has independently verified or is clearly irrefutable”.*

> Review of IOPC cases involving the use of Taser 2015-2020

115. This report was commissioned following a series of incidents involving Black men and people with mental health concerns in early 2020. It states it reviewed 101 cases involving the use of Taser, which were investigated between 2015 and 2020.
116. The review highlights the need for good communication, if possible, when first dealing with an incident. This may prevent a situation from escalating.
117. The Taser report highlights the need for officers to be able to *“recognise the signs that someone might be vulnerable and consider whether they need to adopt a different approach to communicate effectively”.*
118. The review says that *“it is not always possible to distinguish the signs of acute behavioural disturbance from mental health concerns or*

intoxication. Furthermore, officers are given similar guidance on how to deal with these respective issues, and best practice when responding to these situations often looks similar."

119. The report states that individuals suspected of experiencing ABD must be treated as a medical emergency and they should call an ambulance without delay.
120. The review states that guidance from the Royal College of Emergency Medicine (RCeM)[144][145] states that the restraint time should be kept to a minimum. The RCEM guidance also states "*There is insufficient research on the effects of Taser on acute behavioural disturbance however its use as a rapid takedown method to minimise restraint time...and allowing expeditious medical intervention may be a necessary alternative once non physical methods have failed.*"
121. In relation to multiple uses of Taser it states it does not prohibit repeated use, but does highlight increased risks associated with it. Quoting APP, it states the use of Taser can be "*repeated or extended if the desired incapacitation does not appear to take effect and the further use of force is justified and proportionate in the circumstances.*"
122. The report found, in its study, that the average length of time that a Taser was discharged for was five seconds.
123. Of a review of the cases, it found there were eight incidents where a Taser was discharged continuously for more than 20 seconds. Further, that mental health or ABD were common features in cases where this occurred.
124. In relation to discrimination, the report states that Home Office data indicates that Black people are more likely to have a Taser used against them than White people.
125. It highlighted that while Black people are more likely to have a Taser used (drawn/red dotted) against them, they are no more likely to have it discharged. The report states that there is a body of evidence "*that indicates that Black people are often subjected to stereotypical assumptions and can be perceived to be more threatening*".
126. The review discusses these assumptions and stereotypes, in particular the reference to the trope of Black men possessing super strength and being violent and dangerous. The review highlighted how these stereotypes can, at times, be demonstrated through the language used to describe them.
127. The Home Office data also showed that over 90% of all Taser incidents involve men. The CoP analysis found that "*being male increased the odds of Tasers being both drawn and discharged*".

128. The report states that 29% of White people involved in Taser discharges were subjected to continuous discharges of more than five seconds, whereas the figure was 60% for Black people.

D190A

> AXON Taser X2

129. The Taser X2 is a dual-cartridge energy weapon which has two cartridge bays.
130. The Taser once deployed, will release two wires which contain probes at the end. These probes are intended to strike the person and imbed themselves into them. The probes may enter directly onto the skin of the person, or may enter into the clothing of the person. Once connected, this is how the high voltage pulses are delivered.
131. The Taser is designed to cause neuromuscular incapacitation (NMI) when certain conditions are met. These conditions are, but not limited to:
- *“There is a completed and maintained circuit between the electrodes (or probes) to allow electrical current to flow;*
 - *There is sufficient spread, or distance, between the electrodes; and*
 - *There is sufficient motor-nerve mediated muscle mass between the electrodes”.*
132. When the Taser is activated and required conditions are met, the subject will likely experience some degree of NMI, in which some of their muscles will contract and the subject loses at least some *“volitional muscle control of the affected muscles”.*
133. The effectiveness of the Taser to cause NMI is *“not always either 100% or 0%. Assuming there is a completed circuit, the level of NMI from an energy weapon deployment may vary based on several factors, including the spread between the probes, location of the probes on the subject’s body, clothing, movement and environmental factors”.*
134. The Taser contains a safety switch which when *“placed in the up (ARMED) position, the weapon is ready to activate”.*
135. It will select and deploy the cartridge from bay 1. If this cartridge has been previously deployed, it will switch and deploy the cartridge from bay 2.
136. Once the Taser has been armed and the trigger is pulled and released, it will deploy a cartridge from one of the bays and activate

“high voltage pulses on the selected bay for 5 seconds at 19 \pm 1 pulses per second (pps)”.

137. Once a cartridge has been deployed, the officer may use the ARC switch. When pressed and held, it will activate the high voltage. Once the ARC switch is released, the high voltage pulses will stop.



138.



139.

140. The Taser keeps a record of the following information:

- When the weapon is armed;
- When the trigger is pulled;
- When the ARC switch is pressed;
- When the safety switch is placed into the safe position;

- The voltage across the stimulation capacitor;
 - The voltage across the arc capacitor;
 - The charge delivered from the X2 energy weapon output;
141. The indication of the effectiveness of the Taser can be measured three ways:
- No connection: *“There is no connection when one or both probes do not penetrate a conductive target, does not have an electrical path to arc through the air to the target, and does not have an electrical path to arc across the front of the cartridge (or cartridge bay)”*;
 - Connection of high to medium-high impedance load: *“The load impedance can be high when the cartridge probes partially connect and arc through air plus skin and/ or fat, drive-stun applications, or with probes discharging in a subject with high adipose fat tissue content in the area of the probe”*;
 - Connection of low to medium impedance load: *“The load impedance can be low when, but not limited to; probes penetrate flesh and discharge directly into higher conductive tissue, when arcing across the front of the cartridge or cartridge bay, discharging into conductive fluid (i.e. water or sweat), or shorted across metal”*.
142. The effectiveness of the Taser to achieve NMI is *“dependent on not only the output charge in a completed circuit, but also in the location of both probes on the body, and having sufficient probe spread and muscle mass between the probes”*.
143. If the Taser is not connected to the subject, there will be no effect on the subject.

> Summary of the evidence

144. In order for the decision maker to prepare/draft their opinion, I have presented a summary and analysis of the evidence. During this investigation, a volume of evidence was gathered. After thorough analysis of all the evidence, I have summarised that which I think is relevant and answers the terms of reference for my investigation. As such, not all of the evidence gathered in the course of the investigation is referred to in this report.
145. For the purposes of this report, the two key police witnesses (KPWs) are PC Tackie-yarboi and PC Tugwell.
146. The timings mentioned below are taken from the recordings on the body worn video (BWV) of both officers. The timings cited on the Taser

report produced by an Investigations Engineer, also later referred to in this report, may be different to the BWV ones.

> Initial response

D164-
D168

147. On 4 June 2022, seven members of the public rang 999 with the first call at approximately 9am reporting the following information. These calls are not in chronological order:

Caller 1

- *“Hi, there’s a, I’m on, I’m by Chelsea Bridge and there’s a man, I don’t know whether it’s a knife or a screwdriver or something in his hand shouting obscenities”*
- *“Yeah. I’m not sure it’s a knife with him, but we just went past on the bus, it might, it might, I don’t, it might just be a pen or a screwdriver but he’s being aggressive anyway”.*
- *“...he was erm a Black man”*

Caller 2

- *“Erm er, it’s just there’s someone in the middle of Chelsea Bridge Road, erm, just standing in the road, shouting and screaming about in the name of God, and he’s holding something, that looks like a screwdriver, and he’s just standing right in the middle of the road screaming, he’s obviously very, very unwell, but I wouldn’t wanna walk past him”*
- *“He’s, well, I can’t see from here, but my husband said he thought it was a knife, but from here it looks a bit like it could be a screwdriver. He’s in the middle of the road and he was screaming, what was he screaming love [talking to someone else], things like. The wrath of God be on you, and what else was he shouting?”*
- *“Just by, by the Lister Hospital, just erm, before you go over Chelsea Bridge”*

Caller 3

- *“Hi, erm, Lister Hospital, Chelsea Bridge, there’s a man in a red t-shirt with what looks like a knife.”*
- *“Yeah, but I think he’s moved away now, but he’s there, he’s in the area, I can still hear him. I don’t know if it’s a knife but he’s holding something silver, out, straight and in front of him and he’s shouting and, can you hear him?”*

Caller 4

- *“There’s a guy on the street with what looks like a screwdriver or a knife, screaming religious stuff outside Chelsea Bridge Road.”*

Caller 5

- *“There’s a man. He’s got a red t-shirt and turquoise shorts. He’s kind of shouting at traffic and it looks like he’s holding something. I’m unsure if it’s a knife, but he’s holding something and shouting at passers-by, so we’ve had to come around it because we’re a bit scared” – “Sounds religious about demons apparently.”*
- *“Red t-shirt and turquoise, he’s now walking towards the river. He’s now actually got onto the, onto the bridge. Yeah, and I’m talking to them now. A lady’s just asked if I’m talking to you because I think they’re generally feeling quite scared.”*

Caller 6

- *“But he’s shouting and sort of walking in the road and waving his arm around, actually I don’t know it’s a knife, but it looks like a knife. I don’t think he’s actually threatening violence. I think he’s just ill.”*

Caller 7

- *“I’m a London taxi driver. There’s a bl... man on er going towards Chelsea Bridge erm wear, he’s a Black man with a red t-shirt and he’s got something, I don’t know if it’s like erm a (INAUDIBLE) he’s got like a long object waving it in in the air but he doesn’t look like he’s in the right frame of mind.”*

R8
R12A
R12B
R14A
R14D
R16
R18B
R4

148. During this investigation the IOPC undertook several searches for CCTV to identify the route Mr Omishore took from his home to Chelsea Bridge, the actions of him prior to the arrival of officers and the events on Chelsea Bridge once officers arrived. There was no CCTV available that showed clearly the actions of Mr Omishore prior to the police arriving or their interaction with him. In summary:

- Traffic cameras on the junction of Chelsea Bridge Road and Grosvenor Road. The traffic cameras were turned off on 4 June and therefore did not capture any footage.
- Transport for London (TFL) identified one bus, in which the footage primarily showed blue lights and a figure running towards the barrier. A further bus was identified during the

course of a witness statement, however the retention period had already passed.

- Lister Hospital informed us that power works were being conducted at the time and therefore the cameras were not working.
- Wandsworth City Council only had a camera available on the south side of the bridge. Due to the location of the camera it did not capture the incident.
- Investigators looked for CCTV where Mr Omishore lived to identify when he left his apartment, however no cameras were present.
- Government security zone (GSZ) cameras covers the Westminster and Lambeth area. GSZ cameras only contained footage of first-aid provided to Mr Omishore by RNLI members, London Ambulance Service (LAS) paramedics and MPS officers at Lambeth Fire Brigade Pier.

S5
S19
S20
S24
S25
S39
S26
S37

149. Several witnesses said they were made aware of a man who was displaying various types of concerning behaviour in and around Chelsea Bridge in the West London area. Witnesses all provided a similar description of the man, stating he was Black, wearing a red t-shirt and shorts. Witnesses stated the man was behaving erratically, waving an object [which the witnesses described to be a knife/screwdriver] around aggressively, walking in and out of the road, causing a disturbance to the on-going traffic, crouching down and waving his hands in the air. The man is now known to be Mr Omishore.

S5 S6
S19
S20
S21
S4
S25
S37

150. Witnesses who were close enough to hear what the man was shouting, have stated the man was shouting words and phrases such as –

- *“God is coming”*
- *“May the wrath of God be upon you”*
- *“All demons must die”*
- *“Stand back demon”*
- *“Demons”*

151. Several witnesses used words such as *‘menacing’*, *‘furious’* and *‘scary’* to describe the man’s behaviour. Some witnesses stated they took action to avoid the man. This included, hopping on a bus which they did not need, crossing the road, and walking back the way they had come. One witness stated they were concerned the man would chase them.

S6
S20
S24
S37

152. Some witnesses believed Mr Omishore may have been mentally unwell or unwell in general, and expressed concerns about his behaviour.

S66

S25

S21

S66

S37

S45

153. However, some witnesses explicitly stated the man was '*not threatening*' as although he was shouting, it was clear he was not shouting at anyone in particular.

S63

154. An MPS training and development lead for the MPS Command and Control centre (MetCC) stated (when a member of the public calls 999) "*The call goes through to BT exchange and if they select Police then the call comes through to our FCs [first contact]. The BT exchange operator will announce 'emergency call' or 'non-emergency call'. The FC answers the call and then starts taking information from caller*". During this phone call, officers are usually dispatched to the incident.

S2a

S3a

155. On 4 June 2022 PC Tugwell and PC Tackie-yarboi were partnered together on an early shift in a marked police car. Both officers stated they had appointments across the day, which they intended to attend.

156. The MPS website gives information about the 'in vehicle mobile application' (IVMA) which it says provides text information from the CAD system. One of these devices was in the police car manned by PC Tugwell and PC Tackie-yarboi. However, PC Tackie-yarboi said that they did not believe this device was working on the 4 June 2022. PC Tugwell said that he did not know if it was working or not. PC Tugwell added that "*the information that we received in relation to this incident was over the radio, via METCC.*" On the BWV the screen for the IVMA appears blank.

D188

157. On the airwaves the following was passed to all officers "*All units stand by. We've got a, an I grade at Chelsea Bridge Road, SW1, Lister Hospital, Chelsea Bridge Road, SW1 Lister Hospital. We've got suspicious circs, weapon, male was armed with a screwdriver on the I grade please Met Control over.... shouting religious remarks... have had three different I grades on it, so it's gonna be genuine ... got a brief description, male wearing a red t-shirt currently shouting at passing traffic... it's an IC3 male*".

S62

158. An I graded call is one that requires an immediate response.

S62

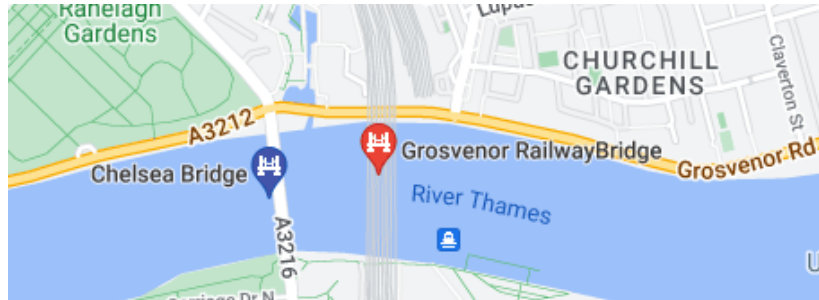
159. No comments regarding any possible mental health concerns were communicated over the airwaves. Sergeant A has worked at the MetCC for six years as both FC Supervisor and dispatch supervisor. They gave a statement to the IOPC in which they said "*Their mental health may not be necessarily pertinent to the fact that they are running about with a knife. The information about mental health can be dealt with later*".

S3a

160. In his statement, PC Tugwell stated at "*approximately 9:00 am*" a call came over the radio "*regarding a male armed with a screwdriver screaming about religion on Chelsea Bridge*". PC Tackie-yarboi also

said *“there had been a report of a male on Chelsea Bridge shouting religious things whilst holding a screwdriver.”*

161. PC Tugwell stated that despite the appointment himself and PC Tackie-yarboi had at 9.30am, *“due to the threat and risk involved in the information I just received’* they assigned themselves to the call. Both officers proceeded to drive towards Grosvenor Road, which leads on to Chelsea Bridge.



- S3A 162. PC Tugwell was driving the police car. However, he stated that as he is only a basic driver, he was unable to use blue lights to get to the scene quicker.

- S3a
S3B 163. In his statement, PC Tugwell stated that when he and PC Tackie-yarboi turned on to Grosvenor Road, the MetCC called their call sign stating *“we have had numerous calls about this male now with the screwdriver”*. In his statement, PC Tugwell said *“At this this point I saw various members of the public fleeing from the direction of the bridge. One man in particular was in a panic, frantically waving his arms in our direction and just behind him was a group of several people who again flagged us down shouting ‘he’s got a knife he’s got a knife’ – “on the bridge, red t shirt”*.

164. PC Tugwell described considering what potential offences Mr Omishore may have been committing. He said that this included Possession of an Offensive Weapon, Public Order and potentially Assault offences.

165. PC Tugwell stated there were approximately ten members of the public who had attempted to flag their car down. He stated, the members of the public were running and looking back at the bridge. On the BWV of PC Tackie-yarboi, PC Tugwell can be seen stopping the car and talking to someone out of the passenger window. We were unable to identify this person. There is no audio of this due to the first minute of pre-activation of the BWV having no audio.

- S2B 166. PC Tackie-yarboi described members of the public who looked scared and shocked around Chelsea Bridge.

- S2a
S2b
S3a
S3b 167. PC Tugwell and PC Tackie-yarboi, stated they both believed the incident may be a terrorist attack. PC Tugwell added that due to the date of the incident aligning with Her Majesty’s Jubilee weekend, *“it increased awareness that it may be terrorist attack due to the*

increased numbers of the public out". He also stated that he had seen on the news that morning, it was the 5th anniversary of the London Bridge attacks.

D189 168. Information received from the MPS confirmed that the UK threat level at that time was "*substantial*" (an attack is likely). The information also highlighted three primary attack types, the first of which was a knife attack.

169. The London Bridge terror attack occurred on the 3 June 2017.

S3B 170. PC Tugwell stated, on the morning of the 4 June 2022, in his morning briefing, he recalled being "*told the terrorist threat level was heightened because it was the jubilee weekend*" and that he was expected to remain "*vigilant*".

S2B 171. PC Tackie-yarboi stated "*The events on the 4th of June 2022, were almost five years to the day of the first London Bridge attack when a van with three attackers was driven into pedestrians on London Bridge. There had been the Westminster attack in 2018, and the London Bridge stabbing in 2019. The 4th June 2022 was a part of the Queens Platinum Jubilee weekend, and we had been told there was a heightened risk of a terrorist attack.*"

S2B 172. PC Tackie-yarboi stated he said to PC Tugwell whilst in the car on the way to Chelsea Bridge, that he was aware of the possibility that "*this could be real*" and that they may be the first officers to arrive.

S3a 173. On the way to the incident PC Tugwell stated he considered his tactical options, which were handcuffs, baton and PAVA.

S2A
S2B
S2B 174. PC Tackie-yarboi said that there was no time to have a meaningful discussion with PC Tugwell. He said he was aware that PC Tugwell did not have a Taser and so told him "*to stay behind me, or beside me*". In a further statement, PC Tackie-yarboi stated he could not recall when he told PC Tugwell this. He stated he told him this "*because he didn't have a taser.[SIC] I did not know if he would know what to do and I knew he was not taser [SIC] trained*".

> Arrival on Chelsea Bridge

S3A 175. PC Tugwell stated that upon arrival at Chelsea Bridge, he was stopped behind another car at a red light. He stated he drove around the car and turned onto the bridge as "*I did not know if members of the public were now under threat and risk of serious harm and also the male himself*".

S2A
S2C
D143
D142 176. BWV showed both officers arriving on Chelsea Bridge at 09.05.43am, in a marked police car. PC Tackie-yarboi stated upon approach to the bridge he saw Mr Omishore in the road, holding a shiny object. He

stated he could see oncoming traffic and members of the public to the left of him. PC Tackie-yarboi stated he drew his Taser before PC Tugwell stopped the car. In a further statement he explained he did this to create a safe distance. He stated he drew the Taser to show he was *“protecting members of the public, myself, and my colleague with distance”*. He said he considered Taser to be the best tactical option as it created distance and to ensure the safety of everyone. He explained that he did have handcuffs, baton and PAVA on his person, but due to the situation Taser seemed the best option. He further stated that *“the best thing to do was to restrain him then we could assess afterwards”*. PC Tackie-yarboi got out of the car at 9.05.48, leaving PC Tugwell to park further along Chelsea Bridge.

- S2B 177. It has been confirmed that PC Tackie-yarboi was trained in the use of a Taser and his training was up to date.
- D143
D142 178. On BWV, PC Tackie-yarboi got out of the car and walked towards Mr Omishore, who was standing on Chelsea Bridge in the road. The police car was parked blocking access to the south-bound lane of the bridge. Traffic on the north-bound lane was still moving.
179. PC Tackie-yarboi said that as he arrived on the bridge his risk assessment was that *“we were in the middle of the road with traffic from both directions and members of the public, all of whom could be harmed. I was focussed on Mr Omishore, we were on one side of the bridge, there were two lanes of traffic and obviously the pedestrian pavement. There was a risk that the male could run into traffic, the whole situation was unpredictable and full of potential danger to anyone present.”*
- S2C 180. PC Tackie-yarboi stated he was influenced in how he communicated with Mr Omishore due to the location, as it was *“happening on a bridge, it was very loud, and both myself and my colleague were saying things to him...I believed being loud and vocal was the best way for Mr Omishore to understand what I was asking. I was communicating loudly, clearly, and precisely to the best of my ability”*.
181. In his statement, PC Tackie-yarboi explained that he became aware of Mr Omishore’s ethnicity when they arrived at the bridge. He stated *“Seeing his ethnicity did not change how I engaged with him”*.
- D143,
D142 182. Mr Omishore could be heard on BWV shouting, however his words were inaudible. He could be seen with an object in his hand.
- S2A 183. As PC Tackie-yarboi got closer to Mr Omishore he held his Taser in front of his chest and pointed it towards Mr Omishore. He stated he did this using Common Law to prevent *“imminent harm to the members of the public and to himself”*.
- S3B 184. In a further statement provided by PC Tugwell he said, *“If BX353 [PC Tackie-yarboi] and I had discussed our concerns, or any plan, then*

that would have been audible to Mr Omishore, and would tactically weaken our position in carrying out any plan”

- S3A 185. PC Tugwell said that as he drove onto the bridge he saw Mr Omishore and described him as *“brandishing something in his right hand”*.
- S3
S3C 186. In his first statement, PC Tugwell described Mr Omishore as Black, approximately 6 feet tall and *“thick set”*. In his further statement PC Tugwell said as he drove onto the bridge this was the first time he became aware of Mr Omishore’s ethnicity. In this statement PC Tugwell said that Mr Omishore’s ethnicity *“had no effect on how I engaged with him and did not change my perception of him”*.
187. PC Tugwell said that he stopped the car and told PC Tackie-yarboi to get out of the car. After PC Tackie-yarboi got out of the police car, PC Tugwell said he drove a further five metres towards the man because he did not want PC Tackie-yarboi *“to be on his own with the male”*. He also said that he did this because he would be in a better position to assist if the man had attacked anyone or run off. He said that when he stopped the car he put the blue lights on.
- S3A 188. PC Tugwell said that the man was *“still brandishing the suspected knife, pointing it in our direction.”* At 09.06.00am PC Tugwell got out of the car and walked towards Mr Omishore, a few paces behind PC Tackie-yarboi. He said that as he got out, he could remember he saw the man do a *“slash like motion”* with the weapon in his hands.
- D142,
D143 189. BWV showed that PC Tackie-yarboi shouted in the direction of Mr Omishore whilst walking towards him *“Officer with a Taser, officer with a Taser, drop the screwdriver! Officer with a Taser, drop the screwdriver or you will be tasered, drop the screwdriver, drop the screwdriver”*. PC Tugwell said that Mr Omishore was stood approximately four to five metres away from them.
190. PC Tugwell said that he noticed that Mr Omishore was holding an object. He described this as *“had a blue handle, with a long thin silver shiny surface, with the previous information I had received I believed this to be a screwdriver.”* He added that he had not seen a knife at that point but *“suspected this could be nearby or the male has it concealed in his waistband”*.
- S3A
S3C 191. BWV showed PC Tugwell continuing to approach Mr Omishore alongside PC Tackie-yarboi. PC Tugwell drew his PAVA spray. In his statement PC Tugwell stated the *“reason I resorted to my PARVA [SIC] instead of my other tactical options is that, as I said earlier, I am not Taser trained. PARVA [SIC], in my opinion was the safest option for me at this point to keep the male at distance from myself, it causes temporary blindness for the male and could potentially enabled us to restrain and detain the male”*. PC Tugwell in a further statement said, *“I showed force by having my PAVA out to defend myself and members of the public.”*

192. PC Tugwell also stated his rationale for not choosing his baton, *"I did not choose my BATON due to the fact that I would have to close the distance between myself and the male...I feared he would most likely overpower me and then I could end up being seriously hurt"*. PC Tugwell also said that he was aware of the risk of getting in the way of the Taser officer.
193. In addition, PC Tugwell said that, at this point, he was *"frightened of being killed or coming to serious harm"*.
194. PC Tugwell said that he also considered using his handcuffs on Mr Omishore. He said that he did not believe this was a viable option at this point because Mr Omishore was *"not compliant with clear officer instructions"*.
195. In relation to his risk assessment and drawing his PAVA spray, PC Tugwell said that his justification for this was *"under Common Law, at this point, I had an honest held belief due to males behaviour, the information I had received before about the weapon and religious comments that I could and would of used a pre emptive [SIC] in self defence to protect myself, my colleague BX353 [PC Tackie-yarboi] and members of the public."* PC Tugwell also outlined his concerns that it was a busy bridge being used by numerous pedestrians and cyclists as well as the traffic.
- S3C 196. PC Tugwell in a further statement said the traffic and people were also factors in how he communicated with Mr Omishore. He stated *"We were not close to Mr Omishore as he had a weapon, so I felt I needed to raise my voice...I shouted at Mr Omishore to get his attention on me and draw it away from members of the public. I also shouted to identify myself as police...Myself and my colleague formed a triangle when approaching Mr Omishore who was looking at us and could identify us as police, we were in uniform, the marked police car was behind with blue lights on. I raised my voice as a type of communication to get his attention"*.
- S3a 197. In his statement PC Tugwell stated that he began to believe Mr Omishore may have been suffering from *"some sort of psychiatric illness or potentially taken drugs. I suspected there may be ABD involved"*. Stating Mr Omishore's *"eyes and nostrils were flared up, he had previously been making incoherent noises and he was gripping the weapon exceptionally tight in his hand to the point where I could see his veins. He was making noises and screaming at me"*. He also said that in addition to this he considered possible ABD because Mr Omishore was *"unpredictable, challenging and volatile"*.
- S3C 198. PC Tugwell in a further statement explained that in the 'Public and Personal Safety training (PPST)' training he attended, he could not recall if they discussed how to communicate with people suffering with ABD. He could also not recall if they are trained in how to communicate with someone who suffers from mental illness. In this statement, PC Tugwell said that he approached this situation

differently *“than if I was approaching someone stood on the edge of a building threatening to jump. We had to contain the situation in front of us which was a man on the bridge with what we believed to be a weapon. I always consider other options, but I have to deal with what is in front of me at the time”*.

- S3C 199. In a further statement PC Tugwell stated that as Mr Omishore was speaking incoherently, making noises and was not following instructions influenced how he communicated with him.
- S2B
S2C 200. PC Tackie-yarboi said in his further statement that *“on the day in question, I had in mind the possibility of ABD”*. In a further statement, PC Tackie-yarboi stated he could not recall when he thought this as it all happened *“very quickly”*. He said that in his Taser training it was highlighted that a subject suffering from ABD might demonstrate *“heightened strength and pain resistance”*. PC Tackie-yarboi also said that he was made aware that more officers might be needed to help deal with a subject that was suffering from ABD.
- S2C 201. In a further statement, PC Tackie-yarboi explained that the *“possibility that Mr Omishore had ABD came from his reaction to the taser [SIC]. The taser [SIC] didn’t have the effect I thought it would because of his strength and it not registering as expected and these were factors in my considering ABD”*. He further detailed that he could not recall if he received training in relation to de-escalation if someone is mentally unwell or suffering from ABD, compared to someone who was appearing mentally well.
202. PC Tugwell said that he felt when dealing with Mr Omishore that *“I was in a vulnerable position, and felt that if he got close to me, then my life was at risk. I had already drawn my PAVA. The male did not respond to any verbal commands and was unpredictable.”*
- S3B 203. In his statement PC Tugwell also said that he was aware that there were *“many members of the public”* present and that it was only himself and PC Tackie-yarboi at Chelsea Bridge at that time. He stated that he did not feel it was an option to leave Mr Omishore unchallenged because of the risk that this would pose to both the members of the public and to Mr Omishore himself. PC Tugwell said that he was under *“no illusion that there was no back-up coming at any stage.”*
204. PC Tugwell said that given the location on a bridge and the lack of compliance from Mr Omishore, it would not have been possible to contain him.

> First use of Taser

- D142
D143
S2a 205. After being instructed by both officers to drop the *“screwdriver”*, BWV showed that Mr Omishore did not comply with those orders. BWV

showed Mr Omishore turned towards PC Tugwell and directed a hand gesture in PC Tugwell's direction. Initially, Mr Omishore's left hand was held out in front of him towards PC Tugwell, with palm outwards with fingers splayed. He was not holding anything in this hand. His right hand which contained the object was held by his right side next to his body, with the object pointing outwards. Mr Omishore's feet were facing towards PC Tackie-yarboi. His left foot appeared to move nearer towards PC Tugwell as the gap between his feet appeared to widen. From viewing the mobile phone footage, it appeared that Mr Omishore lifted his left foot off the ground and moved it towards PC Tugwell. As he did this, Mr Omishore leaned forward towards PC Tugwell. His right foot remained on the ground. The object in his right hand can be seen to be pointing outwards.

206. BWV showed that at this point, it appeared Mr Omishore was Tasered. During this interaction with the officers, Mr Omishore can be heard to shout in the background. It is unclear what he said.

207. PC Tackie-yarboi stated Mr Omishore "*screamed and lunged towards PC Tugwell with what I believed at the time to be a screwdriver*", stating he held "*an honest held belief that PC Tugwell was in imminent danger.*"

208. PC Tugwell said that Mr Omishore reacted in a "*hostile manner*" to the instructions that were given. He said that Mr Omishore raised his left hand up in a manner he believed was to block the PAVA spray. He described Mr Omishore as stood in a "*fighting stance, one foot in front of the other, turning his body sideways facing my direction still gripping the weapon as firmly as he could*".

209. In his statement, PC Tugwell said that Mr Omishore then stepped forward. This is also seen on the BWV. PC Tugwell stated that Mr Omishore "*pulled the weapon to his waist in order to make a stabbing motion in my direction. An upward stab*". PC Tugwell said that because of this he stepped back and was about to activate his PAVA. However, he did not do this as PC Tackie-yarboi activated the Taser.

S2B
S2C

210. PC Tackie-yarboi stated "*...to protect my colleague, I discharged the Taser which initially seemed to be effective as Mr Omishore fell down to the ground.*" In a further statement PC Tackie-yarboi further stated he "*believed the taser [SIC] was the best course of action to reduce any injury to my colleague and Mr Omishore*". He also said that he believed the Taser had been effective as it had drawn Mr Omishore's attention away from his colleague, and that NMI had been engaged due to the effect on Mr Omishore.

D142
D143

211. BWV showed at 09.06.14am PC Tackie-yarboi discharged his Taser in Mr Omishore's direction, whilst shouting "*Taser Taser*". PC Tugwell said that he also shouted "*Taser Taser*" at Mr Omishore. BWV showed that Mr Omishore fell to the ground and rolled over along the road multiple times. The Taser wires may have wrapped around his body as

a result of this. PC Tugwell said that *“the male still had hold of the weapon after the first couple of rolls. I kept well away from him due to this and the fact that I did not want to be in the line of the Taser as well”*. The item Mr Omishore had been holding, dropped to the ground.



212.

213. PC Tugwell said that he kicked the dropped item away from Mr Omishore in order to stop him from using it again. He said that at this time *“I did not have a good look at it as I maintained my vision on the male.”* BWV showed PC Tugwell kicking the item away and then focussed his attention on Mr Omishore. PC Tackie-yarboi said in his statement that he was aware that PC Tugwell had kicked the ‘screwdriver’ away after Mr Omishore dropped it.

214. PC Tackie-yarboi said that after he had discharged his Taser he placed himself in the *“ARC ready position”*. He explained that he placed his left thumb over the ARC button on the Taser. He said that he did this in case Mr Omishore became a threat again.

215. PC Tugwell described being stood approximately one metre away from Mr Omishore. He said he shouted *“put your hands on the floor now”*. He said that he instructed him to do this so that Mr Omishore would be in a position they could control him and could, therefore, safely handcuff and detain him.

216. PC Tugwell said that Mr Omishore looked at him when he gave him this instruction before he then looked at PC Tackie-yarboi who repeated the command. He said that Mr Omishore *“chose to ignore our clear and obvious instructions”*.

217. In his statement, PC Tugwell stated he swapped his PAVA for handcuffs, stating *“I felt it would have been not proportionate or necessary to PARVA [SIC] the male as he had just been tasered and felt that was excessive. I am also aware that PARVA is potentially*

flammable” which he stated could result in fire and “*real risk to the male*”. He said that he did not want to cause any injury to Mr Omishore.

218. In a further statement, PC Tugwell explained that his training “*did not cover how to handcuff someone who has been tasered or someone who is connected to a taser. We are taught handcuff techniques which we use on people who are compliant and non-compliant, but a taser activation is not involved in those techniques*”.

S3C

219. PC Tugwell said that when he got his handcuffs out he continued to shout instructions to the man. In his statement he said that Mr Omishore “*went to put his hands on to the floor. I briefly lost sight of where one of the hands was, then all of a sudden and without warning, the male again lunged at me swinging an arm in my direction.*” In a further statement, PC Tugwell explained that he saw an opportunity to handcuff Mr Omishore, however he did not expect him to “*jump back up*”.

S3A

220. PC Tugwell said he debated “*whether to jump onto the male to restrain him by force*”. However, he said he was not sure whether Mr Omishore had a weapon concealed on him, based on what members of the public had reported. He described Mr Omishore’s hands as being near his waistband. He said that he could not risk trying to physically restrain Mr Omishore. PC Tugwell said “*the male was a lot bigger than me, he was 6ft + and was thick built, my size and frame I felt I would not have been able to physically overpower him, even if BX353 [PC Tackie-yarboi] was to try to assist me. It would have turned into a volatile situation in which we both would have been seriously hurt.*” PC Tugwell said that “*in terms of what I have meant by someone of a ‘thick build’ I mean someone who is stocky or goes to the gym. Mr Omishore presented to me as a tall, big built male, bigger than I, and my perception was that he would be naturally stronger than me but with my suspicion of ABD, then that would also add to his natural strength.*” PC Tugwell said that the fact that Mr Omishore continued to resist after being Tasered reinforced this assessment.

221. PC Tackie-yarboi went on to say that he was of the opinion that Mr Omishore may have been suffering a mental health crisis or could have taken drugs. He said that he felt that this could make Mr Omishore “*exceptionally unpredictable, volatile and extremely challenging. My previous experience of people suffering from suspected mental health crisis [is] that they can also be exceptionally strong*”.

222. PC Tugwell said that he was concerned about a risk of harm to both himself and PC Tackie-yarboi from Mr Omishore. He also said that he felt that if he had tried to restrain Mr Omishore physically at this point, he ran the risk of being incapacitated himself if PC Tackie-yarboi had re-energised the Taser.

D190 223. The AXON Taser report written by a Senior Investigations Engineer from AXON stated the Taser was armed at 9.05.55am and the trigger pulled at 9.06.15am which deployed a cartridge from Bay 1 which activated the high voltage pulses. The pulses lasted for five seconds in which it had a low charge output. This meant it was *“discharging into a very high impedance load, consistent with discharging through skin and fat or arcing a long distance for 2 seconds, then lost the connection and could not discharge for 0.2 seconds, then continued to discharge into the very high impedance load for the remaining 2.8 seconds. This is consistent with one or both probes failing to penetrate but arcing through skin and fat layers”*.

D190 224. The Investigations Engineer viewed the BWV and stated that *“Although the subject appeared to be affected by the energy weapon activation by falling to the ground, there does not appear to be evidence of effective NMI during the activation because the subject was able to fold and kick his legs, as well as roll his body on the ground several times”*.

D190 225. The Investigations Engineers stated the BWV was used to show approximately where the probes were aimed at the time of deployment. In the image below these are shown by the yellow lines.

D190



Figure 2.2.2 – Activation Seq 2063 Probe Trajectory Prediction

226.

D190 227. The Investigations Engineer stated frame by frame analysis showed that the top probe struck Mr Omishore in the right shoulder. He stated the bottom probe could not be located on the footage analysis. This can be seen on BWV. The below image showed where the top probe struck Mr Omishore.

D190



Figure 2.2.3 - Activation Seq 2063 Top Probe Location

228.

> Second use of Taser

229. On the BWV at 09.06.23am, it showed Mr Omishore sat on the ground. Both officers shouted instructions to him. PC Tugwell can be heard to shout *“Put your hands on floor now, put your hands on the floor now”*. One second later PC Tackie-yarboi shouted *“drop drop”* and told him to *“put your hands up”*.

230. The BWV showed Mr Omishore looked back and forth between both officers and then again at 09.06.26am PC Tugwell shouted again *“put your hands on the floor”*.

D142

231. In his statement PC Tugwell said that these were *“clear instructions”*.

232. PC Tugwell said that as he is not Taser trained he does not know if there is a different protocol to follow when dealing with a *“non-compliant male who has been Tasered.”*

S2B.
S2A

233. PC Tugwell said in his statement that he *“shouted at Mr Omishore to put his hands on the floor a number of times. I can hear that BX353 [PC Tackie-yarboi] shouted only once that he should put his hands up. We both shouted that he should stay still. I do not think that one conflicting instruction had any bearing on Mr Omishore not complying, because he did not comply with any instructions.”*

234. PC Tackie-yarboi said he was unaware that he had given different instructions to his colleague. He said that *“I was so focused on the threat, the instructions I was giving and protecting those present from the risk, that I was more focused on Mr Omishore’s actions rather than BX355’s [PC Tugwell’s] words. In any event Mr Omishore followed neither instructions, and, if he had put his hands on the floor, BX355 [PC Tugwell] would then have been able to handcuff.”*

- D142
D143 235. BWV showed that Mr Omishore neither put his hands on the ground or raised them in the air. Mr Omishore is seen on the footage to be half sitting with his legs to the side of him and his arms to the other side. He turned in the direction of PC Tugwell, who was closest to him, turned his head towards PC Tackie-yarboi and then back again to PC Tugwell. This took approximately two seconds. As PC Tugwell moved nearer to Mr Omishore he got up and lunged forward, sweeping his arm around towards PC Tugwell. As he did so, he shouted. It is unclear on the footage exactly what he said.
- S2A 236. PC Tackie-yarboi said in his statement that Mr Omishore failed to comply with their instructions and *“suddenly tried to attack PC Tugwell”*. He said that he shouted *“Taser Taser detention under power”*. This can be seen and heard on the BWV footage. PC Tackie-yarboi said that he said this when he was re-energising the Taser. PC Tackie-yarboi would have pressed and held the ARC switch button to achieve this. He said he did this *“to stop him [Mr Omishore] from trying to seriously assault BX355 [PC Tugwell].”* PC Tackie-yarboi said that this Taser charge was effective as it *“stopped him trying to attack BX355 [PC Tugwell].”*
237. Mr Omishore after being Tasered a second time, fell to his knees and rolled across the ground multiple times ending up in the northbound lane in front of a van and a bus.
238. PC Tackie-yarboi said that once he was aware that Mr Omishore had stopped moving towards PC Tugwell he *“immediately stopped the activation”*.
- D190 239. The Investigations Engineer stated eight seconds after the first use of Taser, the Arc switch was pressed at 9.06.28am which activated the high voltage pulses on Bay 1. The data from the Taser indicates that this charge was active for 2.3 seconds. The Investigations Engineer stated Bay 1 had a low charge output, *“discharging into a very high impedance load, consistent with discharging through skin and fat or arcing a long distance for the entire duration”*.
- D190 240. The Investigations Engineer stated that analysis of the BWV showed that the top probe was *“still located in the subject’s right shoulder...but the bottom probe could not be located in frame by frame analysis. The subject had been rolling on the ground, which wrapped the cartridge wires around his torso. It is also possible the circuit was completed through a break in the insulation of the wires that were wrapped around the subject”*.
- D190 241. The Investigations Engineer states that Mr Omishore appeared to be affected by the activation and fell to the ground, however *“there does not appear to be evidence of effective NMI during the activation because the subject was able to kick his legs and roll his body on the ground”*.

D190



Figure 2.2.5 - Activation Sequence 2064 Top Probe Location

242.

> **Third use of Taser**

243. On the BWV, PC Tugwell was heard to say on the radio that an IC3 male had been Tasered on the bridge. At the same time on the BWV, officers can be heard to shout “drop” and “stay still stay still! Stay still” as Mr Omishore continued to roll across the bridge towards the stationary cars in the northbound lane.

D145
D142
S3B
S2B

244. At 09.06.36am, PC Tugwell shouted at Mr Omishore and said, ‘put your hands on the fucking floor, put your hands on the floor now!’. On the BWV at 09.06.37am, PC Tackie-yarboi shouted “put your hands on your head, put your hands on your head”.

245. BWV then showed Mr Omishore sat up into a semi lying down position.

S3A

246. PC Tugwell said that he approached Mr Omishore again with his handcuffs ready. He said that Mr Omishore did not follow the instructions given. PC Tugwell said that as he approached Mr Omishore again, he started to get up from the floor and “swung at me”. PC Tugwell said that he then maintained his distance from Mr Omishore.

247. BWV from both officers does not show that Mr Omishore made a movement towards PC Tugwell.

D143
D142

248. BWV showed, that after Mr Omishore attempted to get up, PC Tackie-yarboi shouted ‘Taser Taser’ and discharged his Taser for the third time. PC Tackie-yarboi said that this was done through pressing the ARC button to re-energise the Taser.

249. In his further statement to the IOPC, PC Tackie-yarboi said that “BX355 [PC Tugwell] was very close to Mr Omishore who was not engaging at all and he was getting up in haste. He had previously attempted to attack BX355 [PC Tugwell] and I feared he would quickly

turn towards BX355 [PC Tugwell] and attack him again.” PC Tackie-yarboi said that his third use of the Taser “was an instinctive reaction to the threat I perceived”.

250. The BWV showed, Mr Omishore fell to the floor, and rolled across the ground into the southbound lane.
- D190A 251. The Investigations Engineer stated that nine seconds after the second use of Taser, PC Tackie-yarboi pressed the Arc switch again at 09.06.39am which activated the high voltage pulses for 1.4 seconds. He stated that Bay 1 had a low charge output, *“discharging into a very high impedance load, consistent with discharging through skin and fat or arcing a long distance for 0.9 seconds, then the load impedance decreased, bringing the charge up to target level for the last 0.5 seconds”.*
- D190A 252. The Investigations Engineer stated that Mr Omishore had been rolling on the ground, which wrapped the cartridge wires around his torso. He stated *“It is also possible the circuit was completed through a break in the insulation of the wires that were wrapped around the subject”.*
- D190A 253. The Investigations Engineer stated that a review of the BWV showed the probe was still in Mr Omishore’s right shoulder, and the second probe could not be identified. He stated *“The subject appeared to be affected by the activation and fell to the ground, however, there does not appear to be evidence of effective NMI during the activation because the subject was able to kick his legs and roll his body over”.*

> Fourth use of Taser

254. Mr Omishore, turned on to his front in a prone position. PC Tugwell approached Mr Omishore and PC Tackie-yarboi instructed him to handcuff Mr Omishore. Shouting *“cuff him, cuff him, cuff him, cuff him”.* PC Tugwell told Mr Omishore to put his hands on the floor.
- S3A 255. PC Tugwell said that he walked towards Mr Omishore with his handcuffs ready. BWV showed that Mr Omishore got onto all fours and stood up. PC Tackie-yarboi shouted at Mr Omishore to *“drop”.* PC Tugwell said Mr Omishore turned around and ran away from him towards the barrier separating the road and public footpath.
- D142
D143
S2B 256. In his statement PC Tackie-yarboi said that Mr Omishore recovered from the effects from the Taser and *“decided to run towards the barrier”.* From BWV, Mr Omishore appeared to try to pull the Taser wire from his body. He did this at 09.06.44am.
- S2A 257. In his statement, PC Tackie-yarboi stated as Mr Omishore ran towards the barrier, he *“pressed the arc button again”* to discharge his Taser, but it was not effective.

- S2B 258. PC Tackie-yarboi reviewed the BWV footage before making a further statement to the IOPC. In this statement he said that it was necessary to re-energise the Taser as Mr Omishore approached the barrier because *“I was concerned that there was still members of the public around and BX355 [PC Tugwell] and I needed to detain the male with a view to effecting an arrest but he got up and ran towards the metal barrier”*.
- D190A 259. The Investigations Engineer stated that five seconds after the previous Taser discharge had ended, the Arc switch was pressed again at 09.06.45am. This activated the high voltage pulses in Bay 1 which was active for 4.2 seconds. He stated Bay 1 had *“no electrical connection and could not discharge for the entire duration”*.
- D190A 260. The Investigations Engineer stated the Taser was powered down via the safety switch at 09.06.49am.
- D190A 261. The Investigations Engineer stated that analysis of the BWV showed that the fourth use of Taser occurred within one second of Mr Omishore getting to his feet. He stated the top probe could still be seen in the right shoulder.
- D190A 262. In the report, the Investigations Engineer stated that as there was no electrical connection to Mr Omishore that *“the subject was no longer affected by the energy weapon and was able to escape over a barrier and toward the edge of the bridge”*.

> Fifth use of Taser

263. Mobile phone footage from a member of the public showed Mr Omishore jumped over the barrier separating the road from the pedestrian walkway.
264. On his BWV, PC Tugwell can be seen to be holding his PAVA spray before he starts to climb over the barrier between the road and the pedestrian pathway. In his statement he said that *“Due to the male running off so quickly, I did not have time to put my handcuffs away and my parva [SIC] had come out of its sleeve and was dangling from its cord. I caught this as I made my way towards the barrier”*.
265. The footage showed that PC Tugwell followed him. As PC Tugwell was landing on the other side, Mr Omishore turned back towards PC Tugwell and appeared to attempt to hit him on the head using his right arm. PC Tugwell brought his left arm up, which was holding the handcuffs, towards his own head.
- S3A 266. PC Tugwell said that he followed Mr Omishore over the barrier because he believed Mr Omishore was trying to *“evade arrest and make off”*. PC Tugwell said that as he was climbing over the barrier

himself, he temporarily lost sight of Mr Omishore. He said that Mr Omishore jumped up from the ground and *“took an enormous swing at me. I felt for my life at this moment, as potentially he could have pulled a knife out at this stage or I could come to serious harm from his unprovoked attack.”*

267. PC Tugwell said that he believed Mr Omishore was either going to continue to attack him or run away along the walkway at this point. He said that he was aware that he was near the edge of the bridge and also feared that he may be thrown off. He said that he was concerned that the weight of his police uniform and equipment may have caused himself to drown.
- S3A 268. On the BWV footage from PC Tugwell’s camera it showed Mr Omishore’s right arm connected with PC Tugwell’s raised left arm. PC Tugwell said that he put his arm up to defend himself. He said that Mr Omishore was *“screaming”* at him at this point. On the BWV a lot of shouting can be heard at this point, however, it is unclear if Mr Omishore contributed to this or what he may have said. PC Tugwell lost hold of the handcuffs after this and they are seen to travel through the air and come to rest along the pedestrian pathway to the right of him.
269. PC Tugwell’s camera followed the path of the handcuffs as they travelled through the air. When the camera turned back to Mr Omishore, the footage showed him moving towards the handrail at the side of the bridge. It appeared that PC Tugwell was approximately one to two metres away from Mr Omishore at this point.
- S2A 270. PC Tackie-yarboi was on the road side of the barrier. He said that he saw PC Tugwell jump over the barrier and saw that Mr Omishore tried to assault him. He added that *“At this point I believed that the threat had changed as the male seemed to be actively fighting BX355 [PC Tugwell] to get away.”*
- S2B 271. In his additional statement he also said that he reactivated the Taser again after Mr Omishore *“went to assault BX355 [PC Tugwell] again”*. He stated that this, again, was not effective. This is not evidenced on the Taser report and is not included as a use of Taser.
- S2C 272. In his statement, PC Tackie-yarboi said that he saw Mr Omishore move towards the handrail and *“feared he was going to jump into the river”*. He said that because of this, he felt the *“best option at the time was to discharge the second cartridge, because I believed the Taser would have stopped him moving and drop him straight to the floor, this would have stopped him from attempting to jump into the river.”* In a further statement PC Tackie-yarboi explained that he did not use the second cartridge earlier, as he believed the first cartridge was still connected to Mr Omishore.

273. In a further statement PC Tackie-yarboi, said that when someone does not respond to a Taser it is *“usually because there has been a problem with the barbs which have not connected. In that situation you would discharge the second cartridge. If that fails you would have to have recourse to other tactical options”*.
274. PC Tugwell said that after his handcuffs were knocked out of his hand *“I begin to process in my mind what has just happened, I expected another attack but as I pulled my arm down, I saw the male again begin to run away from police.”*
275. As Mr Omishore’s left leg was on the ground, and he was bringing his right leg up to perch on a support railing on the bridge, PC Tackie-yarboi discharged the Taser for the fifth time, using a new cartridge. On the BWV footage, PC Tackie-yarboi can be heard to shout out *“Taser taser”*. Wires can be seen on the footage coming from the Taser. As Mr Omishore rolled over the side of the handrail, loose Taser wires can be seen caught up around one of his calves. PC Tackie-yarboi said that this Taser discharge was *“in-effective”*.
276. PC Tugwell said that Mr Omishore *“ran several paces and then leapt over the barrier into the Thames”*. He said that he attempted to grab Mr Omishore before he did this *“for his own protection, but he was just too fast.”*
277. The BWV footage showed that Mr Omishore fell into the Thames at 09.06.51am.
- D190A 278. The Investigations Engineer stated that the Taser was armed and discharged in the same second at 09.06.51am. This discharge deployed the cartridge in Bay 2 which activated the high voltage pulses for three seconds. He stated that Bay 2 had no electrical connection and could not discharge. He said *“This activation would have had no effect on the subject”*.
- D190A 279. The Investigations Engineer stated that the original probe could still be seen in Mr Omishore’s right shoulder just prior to him jumping from the bridge.
- D190A 280. The Investigations Engineer concluded his report stating that *“Bay 1 had a potential connection with the subject for 8.5 cumulative seconds. Because the load impedance was very high, any potential connection to the subject was through skin and fat, either arcing from the bottom probe to skin, arcing from the wires wrapped around his torso, or conducting to the subject through the wet ground surface, or even a combination of all the above. Bay 2 did not have a connection to the subject during the activations”*.

> **After Mr Omishore entered the River Thames**

281. As soon as Mr Omishore entered the river both officers called it in on the radio. They both requested a police marine unit needed to attend and a description of Mr Omishore was given.
282. There were no lifebelts or other lifesaving equipment on Chelsea Bridge.
283. Mr Omishore could be seen in the water moving rapidly downstream, towards Grosvenor Railway Bridge. On the footage he appeared to strike some barges that were moored in the middle of the river. He then disappeared from view.
284. The RNLI rescued Mr Omishore from the water, assisted by MPS marine officers, and he was brought to the London Fire Brigade pier at Lambeth where they were met by London Ambulance Service (LAS) staff. Both the RNLI, MPS marine officers and LAS performed first aid on Mr Omishore before he was taken to St. Thomas' hospital nearby. He died later that evening at the hospital.

> The object Mr Omishore was holding

285. After making the initial radio call to MetCC and requesting the marine unit's attendance, PC Tugwell walked over to the item Mr Omishore had dropped to retrieve it. He said *"this was my first proper look at it, as I picked it up, I noticed it was a long firelighter, blue handle and a long silver shiny end."*
286. PC Tackie-yarboi said that he became aware that the item was a firelighter *"after the incident, when the marine unit had been called, and I was in the process of updating METCC."*
287. PC Tugwell said that he packaged the firelighter up and it remained with him until he handed it over to another police officer when he arrived at Charing Cross police station. He said that he does not know who this officer was but *"believed he was going to book it in to the front office"*.

> The delay in the lighter being handed over by the MPS to the IOPC and/or the MPS informing the IOPC that the exhibit was a lighter and not a screwdriver

R3
D238

288. At 3.06pm at the Post Incident Procedure ¹(PIP) held at Charing Cross police station, Inspector B told Mr C of the IOPC that the object Mr Omishore had been holding was a *"an electric firelighter"*. Mr C did not

¹ A PIP is a structured process that occurs in response to a death or serious injury following police contact or in police custody. It includes gathering initial evidence relating to the incident such as accounts from Key Police Witnesses and reviewing BWV.

view the item, as his “*priorities were to oversee and ensure the integrity of the post-incident process, co-ordinate and manage staff attendance at multiple scenes and ensure these staff were appropriately supported, make appropriate decisions in relation to scene activity, ensure that the IOPC made contact with the family as early as possible, and attempt to coordinate a press release, in the context of very limited staffing. I was aware the firelight had been secured and exhibited and was content that it could be collected by the IOPC team leading the investigation during normal business hours, along with the rest of Mr Omishore’s personal effects*”.

289. An IOPC investigator was tasked on Monday 6 June to collect Mr Omishore’s property and arrange for the Taser download. Both of these actions were to be completed at Charing Cross police station.
290. The investigator had to liaise with an officer from the Directorate of Professional Standards and a Taser expert who had to travel from Hampshire to complete these actions.
291. On Thursday 9 June, the investigator attended Charing Cross police station to collect the property and to observe the Taser download. The property was then brought back to the IOPC Canary Wharf office later the same day.
292. A decision was made by Lead Investigator Michelle Grahle to wait until the firefighter had been handed over to the IOPC to confirm what the item was. The earliest Lead Investigator Ms Grahle was able to communicate this to the family would have been on Friday 10 June 2022. However, because of the lack of support available over the course of the weekend for the family, a decision was made that it would be best to delay passing this information on until Monday 13 June 2022. On the Monday, Lead Investigator Ms Grahle instructed an IOPC Family Liaison Manager (FLM) to inform Mr Omishore’s family; which they did.

D208
S70

> MPS Press releases

293. The MPS Press Bureau provided a statement to the IOPC regarding the MPS’ press releases for this incident.

4 June 2022 – Initial press statement

294. They stated that the below press statement was approved internally for release at 2.43pm and was issued at 3.16pm on 4 June 2022.
295. “***The Met’s Directorate of Professional Standards are investigating an incident which left a man in a critical condition having been rescued from the Thames.***”

Police were called at 09:03hrs on Saturday, 4 June, to a report of a disturbance in Chelsea Bridge Road, SW1. It was reported that a man was armed with a screwdriver and shouting at the location.

Officers attended the location a short time later, and they challenged a man on Chelsea Bridge. A Taser was discharged but this did not enable the officers to safely detain him.

The man, who is believed to be aged in his 40s, subsequently entered the river. A rescue operation was immediately organised. The man was rescued from the water by the RNLI and taken to hospital, where his condition has been assessed as critical.

Officers are in the process of contacting the man's family. They will be supported by specialist officers. The circumstances of this incident are being investigated by the Met's Directorate of Professional Standards. A referral has been made to the Independent Office for Police Conduct.

Detective Chief Inspector Rory Wilkinson of the Met's Central West BCU said: *"My thoughts are with this man, who is extremely unwell in hospital. Officers are making every effort to make contact with his family.*

I understand that there are always concerns about incidents in which people come to harm having been in contact with police. All Met officers know that they are accountable for their actions, and a full investigation is under way to establish exactly what happened"

5 June 2022 – Updated press statement

296. A follow-up statement from the MPS was issued at 3.02pm on 5 June 2022, with the original statement overwritten on the MPS website.

297. **"UPDATE: IOPC investigation death of man following incident on Chelsea Bridge**

The Met is aware that a man has died following an incident on Chelsea Bridge yesterday morning. The Independent Office for Police Conduct (IOPC) have launched an independent investigation after police were called at 09:03hrs on Saturday, 4 June, to a report of a disturbance in Chelsea Bridge Road, SW1. It was reported that a man was armed with a screwdriver and shouting at the location.

Officers attended the location a short time later, and they challenged a man on Chelsea Bridge. A Taser was discharged but this did not enable the officers to safely detain him.

The man, who is believed to be aged in his early 40s, subsequently entered the river. A rescue operation was immediately organised. The man was rescued from the water by the RNLI and taken to hospital, where he died that evening.

The man's family have been informed.

Commander Alexis Boon, Frontline Policing, said: *“My thoughts are with the family of the man at this very difficult time. I offer my sincere condolences to them for their tragic loss.*

Officers go to work every day to keep the public safe, and so any incident in which a person comes to harm following contact with police is understandably concerning.

Our officers face some of the most challenging and difficult situations daily, in doing so they are fully aware that their actions should rightly be subject to public scrutiny. The Met’s Directorate of Professional Standards made an immediate referral to the Independent Office for Police Conduct following this sad incident, and we will co-operate fully with them as they work to understand the full circumstances””.

298. The MPS Press Bureau stated the MPS did not hold any press briefings, and only issued the two above statements.
299. In regards to the wording *“safely detain”*, the MPS Press Bureau explained it was the wording of the original MPS press officer. This wording was then approved by various officers involved in finalising the statement. The MPS Press Bureau stated *“It is a generic term to describe how the aim of the officers would have been to detain the man safely. The phrase could be seen to refer to either or both the safety of the officers and/or the man; the wording is not specific on this point”*
300. The MPS press bureau explained that the MPS did not correct the item in their press release on Sunday 5 June 2022, as it was an IOPC investigation. They stated *“As the lead agency and as per protocol, it was for the IOPC to issue further information into the public domain”*.
301. They further stated that the statement in the initial release remained correct, given the nature of the initial reports to police. The IOPC did later clarify publically what the item was in a press release on 21 June 2022.
302. The MPS Press Bureau explained that the MPS did not consult the IOPC regarding their first release on 4 June, as it had been prepared prior to the IOPC declaring the incident independent. An IOPC Operations Manager declared the incident independent at 2.40pm on 4 June. The MPS Press Bureau further stated that their lines were shared with an IOPC press officer after publication and that no issues were raised. She further explained that the MPS had not received a request to not publish from the IOPC. The first the MPS Press Bureau had heard it was independent was from MPS officers whilst the web page was being prepared for publication.
303. The MPS Press Bureau stated that the original press officer decided to *“continue with publication since we had received our first media query from the Sun newspaper some three and a half hours previously, followed by further media queries, and distressing video footage was*

being widely shared online. The public interest was served by releasing information at that stage, and a further delay of potentially some hours while awaiting an IOPC statement would have caused a communications vacuum allowing further uninformed commentary and sharing of the footage.

304. The MPS Press Bureau did confirm that they consulted and shared their lines with an IOPC press officer ahead of the second release on 5 June 2022.

D203

> Forensic Clothing Report

305. A forensic report analysing the condition of Mr Omishore's clothing for Taser damage was requested by the pathologist.

306. The following items of clothing were analysed:

- MEH/6 – One black vest (incorrectly labelled – item is a pair of black socks)
- MEH/7 – One pair of blue boxer shorts
- MEH/8 – One pair of green shorts
- MEH/9 – One left New Balance trainer
- MEH/10 – One right New Balance trainer
- MEH/5 – One black vest
- MEH/4 – One red T-shirt

307. The reporting scientist stated "*The damage to the back right sleeve of the red T-shirt indicated that a sharp object had punctured the fabric in this area. In my opinion, this area of damage could therefore have been caused by the tip of a taser probe*".

308. They further stated that the damage to the back left seam of the black vest indicated that a sharp object had punctured the fabric in this area. The reporting scientist stated that "*however, there was no corresponding damage in the overlaying red T-shirt and therefore, it is not possible to determine if this damage could have been caused by the tip of a taser probe*".

309. They concluded the report stating there was no significant damage on the trainers, socks, shorts or boxer shorts.

D200

> Use of Force Expert Report – Police Staff Member (PSM) Graeme Turnbull, Northumbria Police

310. PSM Turnbull is currently serving with Northumbria Police as a police staff member in the role of operational trainer since March 2021. He is

also a retired police officer having served with the Metropolitan Police (July 1989 – April 1993) and Northumbria Police (April 1993 – November 2020) when he retired as a police officer.

311. PSM Turnbull stated he had been involved in the delivery of police training since 1995, and since October 2021 has been a full time police trainer delivering self-defence, first aid, public order and Taser training.
312. PSM Turnbull has been involved with Taser since 2007, and has been a Taser trained officer, Taser trainer and Taser Lead Instructor. He has also a member of the National Taser Practitioner Group since January 2020.
313. PSM Turnbull is a Tier 1 National Taser SME (subject matter expert) and has completed the SME course ran by NPCC Less Lethal Weapons secretariat (LLW) in conjunction with the Crown Prosecution Service, IOPC and Police Federation for England and Wales. In this role, he is able to provide guidance and support for investigations, hearings, court proceedings and coronial processes.
314. PSM Turnbull was approached by the IOPC to produce an expert report regarding the use of Taser in this incident. He was provided with the officer's statements, BWV, social media footage, PC Tackie-yarboi's training records, results of the Taser download and the AXON Taser report.
315. PSM Turnbull was asked to evaluate whether the attending officers complied with national/local guidance in relation to use of force, mental health and communication. This was to be done on conjunction with the application of the NDM and the information received by officers/context of possible terrorism and how this may have impacted on the officers' risk assessment and actions.
316. In response to this, PSM Turnbull stated that "*Upon reviewing the BWV and other material provided I am satisfied that the attending officers have complied with national and local guidance in relation to use of force, mental health, and communication. They have applied the NDM to a policing related incident. The information received would have been a significant factor in assessment this incident as a potential terror related attack*".
317. PSM Turnbull was also asked to review the Taser's officer's actions following each use of Taser, referring to national/local guidance relating to use of force, mental health and communication.
318. In response to this, PSM Turnbull stated "*The actions of the officers are in line with the training they had received and proportionate to the threat that was posed by the subject. I am of the opinion that they have used effective communication strategies, assessed the vulnerability of*

the subject, against the threat posed and considered their use of force principles and relevant application of force”.

D53

> **MPS Report on Taser Training – PC E – Lead Instructor**

319. PC E, a Lead Instructor on Taser for the MPS, was approached by the IOPC for some initial information on MPS Taser training.
320. When asked about the communication the Taser officer should have with a person they stated:
- Officers should normally identify themselves;
 - State they are an officer armed with a Taser;
 - In permitting circumstances, provide a warning to the subject of their intention to use the Taser;
 - Give sufficient time for the warning to be understood.
321. When asked about considerations around mental health, they stated:
- Officers receive a training package on this as mandated by the College of Policing;
 - In training they are taught to use the mnemonic ‘BUGEE [explained above]’;
 - The NDM would also apply.
322. When PC E was asked about the use of the Taser they stated the officer should:
- Identify the target area;
 - Squeeze the trigger and release (which activates a five second discharge);
 - Reassess the level of threat – *“observe changes in subject behaviour. This will inform the NDM as to whether a five second, extended cycle, re-energised cycle or further discharge is required to neutralise the threat”*;
 - Once the threat has been neutralised, the cycle may be interrupted by either switching the device to safe, or removing the finger from the ARC switch button;
 - Once a change in the subject’s behaviour has been observed, the officer should consider the necessity to remain on aim.
323. PC E was asked about considerations around multiple uses of Taser. They stated officers should be aware of possible medical implications. They further stated *“A contingency to reduce multiple uses can be a ‘detention or control under power”*. PC E concluded that the NDM would apply for each use.

324. When asked about using Taser as a compliance/capture tool, they stated that Taser will not be used as a compliance tool. In relation to capture options, they stated *“this is dependent on the NDM with the STO [Taser officer] being aware of the risks if the person is running away i.e. unsupported falls whilst running”*.

D180

> Summary of PC Tugwell’s Use of Force for 12 months prior to the incident

D178

325. PC Tugwell completed a use of force form for this incident. This was completed on 7 June 2022. In brief it said:

- Age of subject: 35-49
- Gender: Male
- Ethnicity of subject: Black (or Black British)
- How was the subject behaving: Serious or aggravated resistance
- Threatened with a weapon: Yes – pointed weapon/object
- Assaulted by subject: Yes – punched but no injuries
- Reason for using force: Self-defence of self/public/subject/other officers, prevent offence, effect arrest, prevent harm and prevent escape
- Other factors impacted decision: possession of a weapon, drugs, mental health, size/gender/build, ABD
- Tactic 1: tactical communications – not effective
- Tactic 2: PAVA drawn – not effective

326. In the review of PC Tugwell’s use of force forms for the 12 months prior to the incident, 14 forms were identified. In brief:

Use of force by ethnicity:

- White: 9 – non-compliant handcuffing, ground restraint, compliant handcuffing, unarmed skills, spit guard - active resistance, compliant manner, verbal resistance/gestures, passive resistance –drugs, mental health, alcohol
- Black: 2 – non-compliant handcuffing, ground restraint, spit hood, unarmed skills – active resistance - alcohol
- Asian: 1 – non- compliant handcuffing, limb restraints – aggressive resistance
- Mixed: 1 – ground restraint, unarmed skills – passive resistance
- Not recorded: 0

D179

> Summary of PC Tackie-yarboi's Use of Force for 12 months prior to the incident

327. PC Tackie-yarboi did not complete a use of force form for this incident. This was due to the system not allowing it to be completed using a pseudonym. PC Tugwell had completed this using his real name which he was not meant to have done.

328. In the review of PC Tackie-yarboi's use of force forms for the 12 months prior to the incident, five forms were identified. In brief:

Use of force by ethnicity:

- White: 2 – non-compliant handcuffing - active resistance – size/gender/build
- Black: 1 – compliant handcuffing – compliant manner – size/gender/build
- Asian: 1 – compliant handcuffing – compliant manner – alcohol
- Mixed: 0
- Not recorded: 1 – compliant handcuffing – size/gender/build

329. The reports confirmed that a Taser was not used during these five incidents.

D177
D176

> Summary of PC Tackie-yarboi's and PC Tugwell's Complaint History

330. A review was conducted of PC Tugwell's complaint history to identify if there were any emerging patterns of behaviour in relation to use of force or discrimination. The review identified nothing of concern in this officer's history.

331. A review was conducted of PC Tackie-yarboi's complaint history to identify if there were any emerging patterns of behaviour in relation to use of force or discrimination. The review identified nothing of concern in this officer's history.

S67

> Mr Omishore's Post Mortem Report

332. The preliminary post-mortem report written by the pathologist on 15 June 2022, listed the cause of death as "*Awaiting further tests*".

333. The final post-mortem report gave the cause of death as complications arising from drowning².

S48

> Mr Omishore's Toxicology Report

334. Toxicology was undertaken during the course of the investigation to identify if there were any substances in Mr Omishore's system which may have affected him.

335. The scientist who produced the report stated that they noted that Mr Omishore died approximately 11.5 hours after the incident occurred. They said, *"Therefore, the results are assumed to represent the situation at the time of death and will not necessarily represent the situation at the time of the incident. However, due to post-mortem redistribution of certain drugs after death, the reported result may be higher than that actually circulating at the time of death. The effects of post-mortem distribution are usually minimised by taking the blood sample from an isolated peripheral blood vessel such as the femoral vein"*.

336. They concluded:

- *"The results show that Mr Omishore had used cannabis recently, and assuming that post-mortem redistribution is not a factor, he may have been experiencing the effects at the time of the incident..."*
- *A low concentration of diazepam was indicated in the post-mortem blood which suggests non-recent use of the drug, and a broadly therapeutic concentration of mirtazapine was also detected...*
- *Midazolam was detected in the post-mortem blood at a concentration that is consistent with the use of therapeutic amounts...*
- *No alcohol was detected in Mr Omishore's post-mortem blood sample, but in view of the time interval between the incident and death, I am unable to rule out the involvement of alcohol at the time in question"*.

337. In relation to the cannabis usage, they stated *"The concentration of THC [cannabis] detected in the post-mortem blood suggests recent use of cannabis and Mr Omishore may therefore have been experiencing some of the effects associated with the use of cannabis at the time of the incident which led to his death. However, THC levels may increase after death due to post-mortem redistribution, especially if resuscitation has taken place, and therefore, such results may*

² This finding was added to this report in March 2025.

represent less recent use, particularly if Mr Omishore was a regular user of the drug”.

338. In relation to diazepam detected, they said “*Mr Omishore is unlikely to have been experiencing any significant effects of diazepam at the time of the incident that led to his death*”.

> Analysis of the evidence

> TOR 1A: The information provided to Control Room staff by members of the public and dissemination of that information to officers

339. A number of calls were made to the MetCC by members of the public. They described the following:
- A Black man was near/on Chelsea Bridge holding a knife or a screwdriver
 - The man was shouting and screaming religious remarks
 - A description of his clothing was given
 - Some callers described him as appearing to be unwell and not in his right frame of mind.
 - Some callers described being frightened of him and said that he looked “*menacing*” “*furios*” and “*scary*”.
340. The first calls were received by the MetCC at approximately 9.00am. The information was recorded on the CHS and CAD. A dispatcher from the MetCC requested officers attend the Chelsea Bridge area to deal with it.
341. The evidence suggests that the information that had been received from the members of the public was correctly recorded.
342. The airwaves confirm that the officers were not told all of the above information. The evidence suggests that the dispatcher did not pass on the comments from the public regarding Mr Omishore’s suspected mental ill health. It also appears that the object Mr Omishore was holding was only described by the dispatcher as a screwdriver; not a knife.
343. Sergeant A (a MetCC supervisor) said that he would not expect information about mental health to be given to the officers at this time. He said that “*the information about mental health can be dealt with later*”.

344. PC Tugwell and PC Tackie-yarboi confirm they heard over the radio that there was a Black man, armed with a screwdriver on Chelsea Bridge and that the man was shouting religious remarks.
345. The information provided by one of the callers that the object Mr Omishore was holding was described as a knife was not passed on. However, the officers were informed that he was believed to be holding a screwdriver. At no stage was the item described as a firelighter.
346. The decision maker may wish to consider that the evidence suggests that the information needed by the officers prior to attending the incident was passed to them by the MetCC and whether it would have been appropriate to have passed on the information about mental ill health mentioned by members of the public.

> TOR 1B: The use of force and whether it was necessary, proportionate, and reasonable in the circumstances

347. Officers are trained to use the NDM before and during any use of force. This includes a cycle of gathering information, assessing the threat and developing a working strategy, the powers to use, options and taking action. The NDM also highlights the need to review after each use of force before the cycle begins again.
348. As officers drove to the bridge they had received the information described above over the radio. They also saw multiple members of the public running away from the bridge, one of whom spoke to them and informed them that the man on the bridge had a 'knife'. PC Tackie-yarboi described the members of the public as looking scared and shocked.
349. PC Tackie-yarboi also said that as he approached the bridge he could see Mr Omishore standing in the road, "*holding a shiny object*". He said that he was aware that there was oncoming traffic and also members of the public present that Mr Omishore posed a risk of harm to.
350. In their statements officers said that they also were considering the possibility that they may be attending a terrorist attack. They cited the fact that it was the Queen's Jubilee weekend and the day before had been the five year anniversary of the London Bridge terrorist attack. PC Tugwell and PC Tackie-yarboi said that they had been told that morning that the terrorist threat level was heightened. PC Tugwell also said that he was expected, because of this, to be 'vigilant'. The threat level for this day was confirmed with the MPS as 'Substantial', which meant an attack was likely. PC Tackie-yarboi stated he was of the opinion at the time that "*this could be real*".

351. PC Tackie-yarboi also added that he was aware that they were likely to be the first officers to arrive and deal with Mr Omishore.
352. This appears to have been a reasonable potential threat for the officers to have considered as part of their application of the NDM, based upon the information that was known to them at that time.
353. Before arriving at the bridge, PC Tugwell, who was driving the car, stated that he considered his tactical options of handcuffs, baton and PAVA.
354. PC Tackie-yarboi said that there was no time to have a meaningful discussion about this incident with PC Tugwell. He did, however, say that he was aware that he was the only officer with a Taser. PC Tackie-yarboi stated at some point he told PC Tugwell to stay behind or beside him, however he could not recall specifically when this was.
355. Taser guidance states that the Taser officer should have primary contact with the subject. Other officers in attendance will be in a support role, and will be directed by the Taser officer.
356. The evidence suggests PC Tackie-yarboi was following his Taser training, by telling PC Tugwell to remain either by his side or behind him. This would mean that he would have the primary contact with Mr Omishore.
357. PC Tackie-yarboi said that he drew his Taser before PC Tugwell had stopped the car. In a further statement he explained he needed to create a safe distance, and therefore drew his Taser prior to exiting the car to show that he was protecting members of the public, himself, and PC Tugwell.
358. PC Tugwell said that after PC Tackie-yarboi got out of the car he drove a further five metres towards Mr Omishore in order to better support his colleague because of his concern about a risk of harm to him. The police car was parked by PC Tugwell blocking access to the southbound carriage way of Chelsea Bridge.
359. Police officers are able to use force against members of the public in certain circumstances which are outlined in law.
360. Under Common Law, a person may use force against another where there is an honestly held belief that someone may be in imminent danger. The Criminal Law Act 1967 also states that force may be used "*as is reasonable in the circumstances*", to prevent a crime being committed or to assist in the lawful arrest of someone. This is also further supported in PACE S117 which states that a constable can use reasonable force when executing their powers. Section 76 of the Criminal Justice and Immigration Act 2008 states that in criminal proceedings the force used is judged on the circumstances at the time

as perceived by the individual. In misconduct proceedings force must be reasonable, necessary and proportionate in all the circumstances.

361. The NPCC PSM on use of force outlines that all force used by police officers should be reasonable, necessary, and proportionate.
362. The CoP APP lists a number of principles in relation to the use of force. They include protecting people, arrest and self-defence of self and others.
363. It appears from the evidence that both of the officers considered the possibility that Mr Omishore may have been suffering from ABD. PC Tackie-yarboi said that he was aware that more officers might be needed to help if this was the case.
364. Training and guidance states that there is no expectation on officers to diagnose mental ill health.
365. Training highlights that suspected ABD subjects should be contained if possible. It also states that officers should not shout, remain calm and not use threatening language. It also provided some strategies on how best to engage with someone with ill mental health, however it made clear that it depends on the circumstances of the incident and was not an exhaustive list.
366. Mr Omishore was standing in the middle of a central London Bridge; had been reported by members of the public to be armed with a weapon (either a knife or a screwdriver), the evidence supports the officers honestly and reasonably believed prior to their arrival on the bridge that he was in possession of a weapon; they were borough officers (non-specialist or firearms) and only they were present and responding to the emergency calls. This supports that it would have been difficult for the officers to contain Mr Omishore, to protect the public and/or Mr Omishore, or at least it would not have been unreasonable for the officers to have formed this view. The same applies to moving Mr Omishore to a different and safer location, considering his inability or failure to co-operate/respond to their instructions.
367. Both officers mentioned in further statements to the IOPC that noise pollution (e.g. cars and buses) may be a factor in how they communicated with Mr Omishore. The decision maker may wish to consider if this is a relevant factor in this case, and whether it affected how the officers spoke with Mr Omishore.
368. It is unclear from the footage exactly where or how many members of the public were around. However, it appears that there were none, other than those in their cars that were in the immediate vicinity. However, as a busy main bridge over the Thames in central London, from which several members of the public had already been seen fleeing. As no other officers are present and the bridge remained open,

it may have been reasonable to believe that members of the public may have come into contact with Mr Omishore and that their health and safety, that of the officers and/or Mr Omishore, was at risk if he could not be restrained.

369. Someone suffering from ABD may still be violent and the duty to abide by the ABD policy/guidance/training does not override the right (and in some cases duty) to use force where officers honestly and reasonably believe it is necessary to defend themselves or others. NPCC training on ABD states that police must consider the risks to life/serious injury being incurred by the subject but also members of the public and emergency services personnel and that containment of the incident rather than restraint of the individual, where practicable, is preferable but not always possible/practicable.
370. The evidence may not indicate it was unreasonable for the officers to have considered that containing Mr Omishore was an unsuitable option in the circumstances, given the risk of harm they believed he posed to members of the public and himself and the availability of officers at that time.

First use of Taser

371. Both officers after they got out of the police car had their Taser and PAVA drawn. Both officers shouted instructions to Mr Omishore to drop the screwdriver. PC Tackie-yarboi also warned Mr Omishore that he had a Taser which he would use if Mr Omishore did not drop the screwdriver.
372. Mr Omishore did not drop the object he was holding. PC Tackie-yarboi said that he believed that PC Tugwell was in "*imminent danger*" after Mr Omishore lunged towards him holding, what he believed to be, a screwdriver.
373. It appears from the evidence that Mr Omishore did not comply with the instructions to drop what he was holding.
374. PC Tackie-yarboi in a further statement stated he did have handcuffs, baton and PAVA, however he believed Taser was the best option. He explained that he thought this was the best way to ensure the safety of the public, PC Tugwell and Mr Omishore.
375. PC Tackie-yarboi mentioned that he was aware that Mr Omishore may have been suffering from ABD. In a further statement he explained that he thought this was due to how Mr Omishore reacted to the Taser. He explained that the Taser did not have the effect he thought it would have on him, due to the strength he displayed and the Taser not "*registering*" as expected. PC Tackie-yarboi did mention that he considered the possibility that Mr Omishore may have been either suffering from a mental health episode or have taken drugs. He did not elaborate on how this informed his decision making regarding his use

of force, however, he did say that he was aware that a person suffering from a mental health crisis could be “*exceptionally strong*”.

376. PC Tackie-yarboi said that he activated his Taser at this point “*to protect his colleague*”.
377. The Taser was deployed, giving a charge to Mr Omishore for five seconds.
378. The Taser report and the forensic report on Mr Omishore’s clothing was only able to account for one Taser probe making contact with Mr Omishore; on his right hand shoulder. It may be possible that the second probe made contact with Mr Omishore through exposed bare skin. However, there appears that there is no evidence of this on the BWV footage. The Investigations Engineer suggested in his report that the low charge given to Mr Omishore at this point may have been due to only one probe having made contact. The post-mortem report gave the cause of death as complications arising from drowning. It is possible that the pathologist through their examination may be able to identify any additional injuries that may be a result of the Taser probe.
379. It was assessed during this investigation that this use of Taser by PC Tackie-yarboi did not provide an indication the officer may have committed a criminal offence or behaved in a manner which would justify disciplinary action, because; Mr Omishore failed to drop the perceived weapon and lie on the ground when asked/instructed to. He continued to appear aggressive and appeared to hold the perceived weapon aggressively. He then moved toward PC Tugwell and PC Tackie-yarboi used the Taser for the first time because he believed it was necessary to defend PC Tugwell. There was no indication use of force by PC Tackie-yarboi was not honestly and reasonably believed to be necessary, reasonable and proportionate.

Second use of Taser

380. After the first Taser discharge, Mr Omishore fell down and rolled around on the ground.
381. The evidence suggests that this was as a result of the charge from the first use of the Taser.
382. When he fell to the ground and rolled over, Mr Omishore dropped the object he had been holding. The object, later identified as a long nosed firelighter, was kicked away by PC Tugwell. PC Tackie-yarboi described seeing this happen.
383. PC Tugwell said that at this point he put his PAVA away, citing concerns that he was aware that using a PAVA spray in conjunction with a use of Taser could cause combustion. This suggests use of the NDM by PC Tugwell in that he reviewed the situation and reassessed his tactical options.

384. Both officers shouted instructions to Mr Omishore that may be considered conflicting. PC Tackie-yarboi said *“drop drop, put your hands up”* and PC Tugwell said *“put your hands on the floor”*.
385. In his evidence PC Tugwell said that he thought PC Tackie-yarboi only gave his instruction to Mr Omishore once. However, the BWV footage appears to show that PC Tackie-yarboi shouted his directions more than once.
386. PC Tackie-yarboi said that he was more focussed on Mr Omishore’s actions rather than what PC Tugwell was saying.
387. PC Tackie-yarboi described his working strategy at this point was for PC Tugwell to be able to handcuff Mr Omishore. While PC Tugwell and PC Tackie-yarboi did not discuss their strategy, PC Tugwell did have his handcuffs ready at this point.
388. Whilst it is taught in the CoP Personal Management training that an officer can safely handcuff a person whilst still connected to a Taser. The training states it can be safely done as long as the officer does not touch the subject between the two probes. In this case it may have been inadvisable as the first Taser discharge did not appear to be effective in incapacitating Mr Omishore, who continued to move around, get up and not comply with instructions. It has not been possible to locate the second probe and Mr Omishore had rolled around the ground, thereby wrapping the Taser wires around his body. It is unclear how this may have affected the officer if he were to have touched Mr Omishore if it was necessary to discharge the Taser again.
389. This was not given as a reason by PC Tugwell for not handcuffing Mr Omishore, but may provide further evidence in relation to whether attempting to handcuff Mr Omishore at this point was a safe option.
390. The evidence suggests that this method of handcuffing at the time of the incident was primarily taught to officers who were Taser trained. PC Tugwell has stated he does not know how to handcuff a person who has been and is connected to a Taser. The decision maker may wish to consider if this is something that should be taught to all officers, and if so, whether this is organisational learning.
391. The evidence suggests that Mr Omishore was not complying with any of the instructions given. The officers did not appear to have him under control and Mr Omishore had not been searched.
392. PC Tackie-yarboi said that he was unaware he had given different instructions to PC Tugwell. The BWV appears to show that Mr Omishore presenting as confused at this point which may potentially have resulted in part by the conflicting instructions. However, it may also be considered that Mr Omishore appeared confused prior to this (from the reports by members of the public and his initial response to arrival and instructions from officers) and he had just been Tasered.

This apparent appearance of confusion, before he then lunged at PC Tugwell, lasted approximately two seconds.

393. Mr Omishore turned towards PC Tugwell and in a sitting position made a lunge movement, sweeping his arm around towards the officer. PC Tackie-yarboi described this moment as Mr Omishore “*suddenly tried to attack BX355 [PC Tugwell]*”.
394. PC Tackie-yarboi said that he was concerned that Mr Omishore was about to seriously assault PC Tugwell. He said that due to this he pressed and held the ARC button. While he activated the Taser he shouted “*Taser, Taser detention under power*”. This is a use of tactical communication intended to alert those present that the Taser is in use.
395. The Taser report suggests that eight seconds after the first Taser use, the ARC button was pressed and was held down for 2.3 seconds. Mr Chiles mentions that the circuit for the Taser charge may have been completed through Mr Omishore rolling around on the floor which resulted in the Taser wire becoming wrapped around his body. He said in his report that this was again, a low charge.
396. The Taser training emphasises that officers should only hold the ARC button down for the minimum amount of time necessary to achieve their objective. PC Tackie-yarboi said that he immediately stopped pushing the ARC button once Mr Omishore stopped moving towards PC Tugwell.
397. The Taser report appears to support PC Tackie-yarboi’s account and suggests PC Tackie-yarboi’s assessment and re-evaluation of the situation was consistent with the NDM and that he stopped using force when he considered it was no longer necessary. This is consistent in the guidance from PC E in that the cycle should be cancelled once it is no longer reasonable.
398. Though Mr Omishore does not have the item in his hand at this stage, they are on a busy London bridge. On the BWV and social media footage, traffic is still moving in the other lane, closest to PC Tugwell. Whilst at this particular moment of Taser, traffic is stopped as PC Tugwell is in their lane, it does not negate the potential risk if one of these vehicles were to move or that cyclists or pedestrians may come into contact with Mr Omishore.
399. It was assessed during this investigation that this use of Taser by PC Tackie-yarboi did not provide an indication the officer may have committed a criminal offence or behaved in a manner which would justify disciplinary action.

Third use of Taser

400. After the second use of Taser, Mr Omishore fell to the ground again. He was instructed to “*drop*” and “*stay still*”. However, Mr Omishore

rolled across the bridge towards the traffic in the northbound lane, which brought the traffic to a standstill.

401. The Investigations Engineer said that it was his assessment that the second Taser charge had not been effective which he evidenced by the manner in which Mr Omishore continued to move.
402. Again, Mr Omishore was given different instructions by the two officers; one of which told him to put his hands on the floor and the other instructed him to put his hands on his head.
403. Mr Omishore did not follow the instructions given and tried to get back up. PC Tackie-yarboi said that he believed that Mr Omishore was trying to get up and attack PC Tugwell, who he described as standing very close to Mr Omishore. The BWV confirms Mr Omishore was close to PC Tugwell. However, the footage does not appear to show any specific action by Mr Omishore at this point to suggest he was about to attack PC Tugwell at this moment.
404. The W80 judgement confirms that the current application of the case to answer test where there may have been a mistaken belief by the officers as to the threat faced is whether a reasonable disciplinary tribunal could find, on the balance of probabilities, that the officer's use of force was unnecessary, unreasonable or disproportionate in all the circumstances, including the reasonableness of any honestly held mistaken belief.
405. The BWV suggests that PC Tackie-yarboi may have been mistaken in this belief that Mr Omishore was about to attack PC Tugwell as it appears Mr Omishore gets to his knees and is facing away from PC Tugwell. The decision maker may wish to consider if a reasonable disciplinary tribunal could find PC Tackie-yarboi's belief was unreasonable and then taking account of all the other circumstances whether the force used was unnecessary, unreasonable or disproportionate. Those circumstances include that Mr Omishore had failed to comply with instructions and on two occasions seconds before appeared to attempt to strike at PC Tugwell, that they believed it remained necessary to detain Mr Omishore to prevent harm to himself, that he had by that time dropped the only visible potential weapon and the belief that he may have been suffering from mental ill health/ABD
406. PC Tackie-yarboi activated the Taser again, through the ARC button, for 1.4 seconds. The Investigations Engineer describes this again as being a low charge. The Taser was discharged as Mr Omishore started to rise up from the ground.
407. This suggests, as with the second use of Taser, that PC Tackie-yarboi kept the evolving situation under assessment and stopped using force when he considered it was no longer necessary. This is consistent in the guidance from PC E in that the cycle should be cancelled once it is no longer reasonable.

408. It was assessed during this investigation that this use of Taser by PC Tackie-yarboi did not provide an indication the officer may have committed a criminal offence or behaved in a manner which would justify disciplinary action because the evidence did not indicate PC Tackie-yarboi's incorrect belief about Mr Omishore attempting to attack PC Tugwell was not honestly and reasonably held. In any event, it remained the case that Mr Omishore was not compliant, had not successfully been restrained and PC Tugwell's reasons for not wishing to physically struggle with him remained valid. In these circumstances the third use of the Taser by PC Tackie-yarboi to try to incapacitate Mr Omishore for a period long enough to enable PC Tugwell to safely handcuff him did not appear to be unnecessary, disproportionate or unnecessary. It was also assessed that, even if this was wrong and the mistake is considered unreasonable and/or only a lesser degree of force was appropriate, then the degree of this mistake or misjudgement would not justify disciplinary action.

Fourth use of Taser

409. The evidence suggests that the third use of the Taser was initially effective in that Mr Omishore dropped to the floor in a prone position. It appears from the evidence that PC Tugwell walked towards him intending to handcuff him, instructing him to put his hands on the floor. Mr Omishore did not do this.
410. Mr Omishore may have been aware of the officer's intention to handcuff him given that PC Tackie-yarboi was also shouting "*cuff him, cuff him, cuff him*".
411. Before Mr Omishore could be handcuffed he got to his feet and started to run towards the barrier separating the road from the pedestrian walkway.
412. The evidence suggests that Mr Omishore did not follow PC Tackie-yarboi's instructions at this point, having being told by him to "*drop*".
413. It appears from the BWV that Mr Omishore pulled the Taser wires from his body as he ran towards the barrier.
414. PC Tackie-yarboi pressed the ARC button again for 4.2 seconds within one second of Mr Omishore getting to his feet. The Taser report confirms that there was no electrical connection. The evidence from the BWV footage appears to support this as Mr Omishore's actions were not interrupted.
415. Mr Omishore possibly ran away from the officers in an attempt to evade being handcuffed or to avoid the Taser. However, regardless of this, PC Tackie-yarboi has described his concern that there were possibly members of the public around and his need to detain Mr Omishore. PC Tackie-yarboi and PC Tugwell remained the only police

officers in attendance at this point, responding to the emergency calls made by several members of the public.

416. APP guidance states that police officers have a general duty to protect members of the public. It also states that forces must evaluate whether the service requested is that of enforcing the law, protecting the public, and protecting life and limb. It further states that if police know or ought to know of real and immediate risk to a person's life from an act or acts of violence, that they must do all that they reasonably can to prevent the risk from materialising.
417. The evidence suggests that Mr Omishore at this moment was unpredictable as evidenced by his actions and the officers had a duty of care to Mr Omishore to protect his life, to prevent him from harming himself, themselves and/or members of the public.
418. It was assessed during this investigation that this use of Taser by PC Tackie-yarboi did not provide an indication the officer may have committed a criminal offence or behaved in a manner which would justify disciplinary action because whilst the officers may not have needed to restrain Mr Omishore for their own protection at this stage (due to him running away), there is no indication that their belief he needed to be restrained to protect others he may encounter, was unreasonable. PC Tackie-yarboi stated he discharged the Taser for a fourth time as Mr Omishore was running however it did not have an effect and Mr Omishore continued running towards the barrier separating the road and the pedestrian way. PC Tackie-yarboi has explained he did this as he was concerned members of the public were around, and they needed to detain him. He was therefore already of the belief it was necessary to detain Mr Omishore and that the use of the Taser to assist in doing so was necessary, reasonable and proportionate, to do so. For the reasons already given it was assessed that there was no indication this belief was not honestly held or unreasonable.

Between the fourth use of Taser and the fifth use of Taser

419. PC Tugwell ran after Mr Omishore as he climbed over the barrier. He said that he followed him because he believed Mr Omishore was trying to evade arrest and "*make off*".
420. As PC Tugwell was climbing over the barrier, Mr Omishore appears to attempt to assault him with his fist.
421. In his statement, PC Tackie-yarboi describes pressing the ARC button again at this point because Mr Omishore "*went to assault BX355 [PC Tugwell] again*". He said that this use was not effective. The Taser report does not support that PC Tackie-yarboi pressed the ARC button.

422. PC Tackie-yarboi did not mention this believed use of Taser in his statement of the 7 June 2022; his first account of this was in his further statement dated 8 December 2022. This was clarified with PC Tackie-yarboi in his statement dated 21 April 2023, in which he stated this was a use of Taser but was not effective. PC Tackie-yarboi did not have the benefit of reviewing the Taser report when making the June and December statements, however was provided with a copy of the Taser graphs for the April statement. The Taser was analysed and there is no evidence to indicate the ARC button was defective. PC Tackie-yarboi may have been mistaken about pressing the ARC button.
423. While this attempt to Taser Mr Omishore did not involve the activation of the Taser, it appears PC Tackie-yarboi intended to. It was assessed during this investigation that this attempted use of Taser by PC Tackie-yarboi did not provide an indication the officer may have committed a criminal offence or behaved in a manner which would justify disciplinary action for similar reasons to the fourth use of Taser but additionally that there was evidence that Mr Omishore had attempted to strike PC Tugwell and caused the handcuffs he was holding to fall out of his hands and onto the floor.

Fifth use of Taser

424. After Mr Omishore had struck PC Tugwell and knocked his handcuffs out of his hand, Mr Omishore turned and moved towards the handrail at the side of the bridge.
425. At this point, PC Tackie-yarboi and PC Tugwell were still the only police officers in attendance on the bridge. PC Tugwell was to Mr Omishore's right on the walkway and PC Tackie-yarboi was behind the barrier, in the road. There does not appear to be an obstacle that would have prevented Mr Omishore from running down the pedestrian walkway to his left.
426. PC Tackie-yarboi said that he feared, at this point, that Mr Omishore was going to jump into the river which would create an obvious risk to his life, as tragically was the case. As stated above, officers have a duty to protect him from harm and could use proportionate force to do so under the Mental Capacity Act.
427. From the evidence it appears that the wires can be seen to come from the Taser as Mr Omishore started to rest his right leg on the support railing. The discharge of the Taser cartridge is confirmed in the Taser report. PC Tackie-yarboi at this point shouted a warning to Mr Omishore.
428. The evidence suggests that PC Tackie-yarboi discharged the second cartridge, however, the Taser report confirms that it failed to connect with Mr Omishore. PC Tackie-yarboi in a further statement stated he

did not use the second cartridge earlier, as he believed the first cartridge was still connected.

429. This use of the Taser by PC Tackie-yarboi appears to have been used to prevent Mr Omishore from endangering his own life; which sadly did not work. It was assessed during this investigation that this use of Taser by PC Tackie-yarboi did not provide an indication the officer may have committed a criminal offence or behaved in a manner which would justify disciplinary action because the evidence indicated this was a genuine attempt by PC Tackie-yarboi to prevent Mr Omishore from jumping from the bridge and therefore a reasonable, proportionate, and necessary use of force in the circumstances.

Other

430. Taser training states there is a risk of drowning when using the Taser in water, and the subject is at risk of head injuries when Tasered at height.
431. Mr Omishore was not Tasered whilst in water and was at no time considered to be at height when the Taser was discharged, other than when climbing over the barrier into the water at which time Taser was used to try and prevent him from going over the edge.
432. Taser training states the Taser officer should change to their second cartridge if at any time they realise the first cartridge is ineffective or there is only one probe connected.
433. This was a fast paced incident with the total time of engagement of officers with Mr Omishore from the time they arrived on the bridge to when Mr Omishore jumped over the railing being approximately one minute and eight seconds.
434. PC Tackie-yarboi describes the use of Taser as effective, as it made Mr Omishore go to the ground. However, the evidence suggests the Taser may not have been fully effective, as set out in the Taser report as NMI did not appear to be achieved.

> TOR 1C: The communication between the officers and Mr Omishore

435. Taser training suggests that officers should use the mnemonic BUGEЕ when interacting with vulnerable people. BUGEЕ stands for:
- B**e prepared to back off
 - U**se of effective cover
 - G**ive space and time if possible
 - E**arly negotiation

Evacuate immediate area

436. The evidence suggests that this mnemonic is not widely shared with other officers who do not attend Taser training and those officers may be at a disadvantage when interacting with vulnerable people. The decision maker may wish to consider if this is organisational learning.
437. Mr Omishore was on a central London bridge, with members of the public in the general vicinity. He had an item in his hand, which had been described to officers as either a screwdriver or a knife. Both of which may be considered a weapon and capable of causing significant harm to a person. There were also only two officers present, with other officers not arriving until Mr Omishore was already in the water.
438. This evidence may support that it was not possible for the officers to follow this guidance.
439. Due to the posed risk, the evidence suggest it was not reasonable for the officers to 'back off'. Due to the location, there was nowhere for the officers to use as effective cover, except for their marked police car. Mr Omishore's actions were unpredictable, and therefore the evidence suggests it was not reasonable to give him time and space. The officers attempted to engage with Mr Omishore, however the evidence suggests he did not comply. Due to only two officers being present, there would have been significant challenges in them being able to effectively evacuate the area or to close down the bridge to stop traffic.
440. NPCC PSM guidance states officers can use 'crisis communication' instead. This means officers use loud, repetitive verbal commands as a means of controlling the individual.
441. The evidence suggests this is the method the officers were using when communicating with Mr Omishore. Both officers were using clear, short commands which were repeated a number of times.
442. The guidance states this type of communication can be beneficial, in alerting colleagues, enabling witnesses to corroborate what an officer is shouting, breaking through any auditory barriers, increasing the justification for use of force and gaining control if commands are not complied with.
443. The evidence suggests that this may not have been effective as Mr Omishore did not appear to comply with officer instructions.
444. Whilst the conflict in instructions has been dealt with in the above section of analysis in use of force, PC Tugwell should have left the communication with Mr Omishore to PC Tackie-yarboi as per Taser guidance and PSM Communication guidance.
445. The evidence suggests that at one point, after the first use of Taser, that Mr Omishore looked confused and it is possible the conflicting instructions that were given to him may have contributed to any feeling

of confusion he may have experienced at the time. Guidance suggests that more than one officer communicating with the subject may cause a failure in effectively communicating with the subject as they may have broken the rapport between the subject and the main officer.

446. The decision maker may wish to consider if PC Tugwell communicating with Mr Omishore broke or hindered any rapport between Mr Omishore and PC Tackie-yarboi.
447. In relation to interacting with someone suspected of ABD, the guidance suggests communicating with the person in a calm manner and building rapport with them.
448. The evidence indicates there was environmental noise at the location of the incident, including the noise of nearby traffic and that this would have impacted on the volume required by officers to engage with Mr Omishore, to ensure that he heard and understood what they were saying to him. This has been provided as a reason by both officers in how they communicated with Mr Omishore.
449. The decision maker may wish to consider if it was possible for the officers to have spoken with Mr Omishore in a calm manner taking into consideration the above.
450. Upon exiting the police car, PC Tackie-yarboi immediately shouted to Mr Omishore for him to drop the screwdriver. Whilst not said in a calm manner, he did introduce himself as a police officer with a Taser. The evidence suggests that PC Tackie-yarboi was following his training in relation to the use of Taser when communicating with Mr Omishore as this warning is taught as part of the training.
451. PC Tackie-yarboi repeated the warning several times and appeared to give Mr Omishore time to consider the warning. The evidence suggests he only activated the Taser once Mr Omishore made a movement towards PC Tugwell.
452. The decision maker may wish to consider whether PC Tackie-yarboi followed the Taser training and APP guidance in relation to communicating with Mr Omishore about the Taser.

> TOR 1D: Whether Mr Omishore was treated less favourably due to a protected characteristic

453. Mr Omishore was a Black man. Information received by the MetCC raised concerns that Mr Omishore may have been suffering from an episode of mental ill health. Both of these are protected characteristics under the Equality Act 2010.

454. The evidence suggests that the information was passed over the airwaves that Mr Omishore was Black around the time that they either arrived at Chelsea Bridge or were dealing with Mr Omishore. It is unclear from the evidence whether the officers heard this or not. Both officers in a further statement confirmed they became aware of his ethnicity when they first saw him on their arrival to the Bridge.
455. The Taser review undertaken by the IOPC highlighted that Black men were more likely to have a Taser used against them; this includes being drawn but not discharged. Although, subsequent analysis found that they were no more likely to have it discharged against them.
456. It does not appear from the evidence that either of the officers have used overt discriminatory language in relation to Mr Omishore.
457. On this occasion, PC Tugwell said that he felt he was in a vulnerable position and described Mr Omishore as *“unpredictable, challenging and volatile”*. He also said that Mr Omishore’s *“eyes and nostrils were flared up, he was gripping the weapon exceptionally tight in his hand to the point where I could see his veins. He was making noises and screaming at me.”*
458. PC Tugwell also described Mr Omishore, upon first seeing him, as Black, tall and thick set.
459. It appears from the BWV footage, that this was not an inaccurate description of Mr Omishore.
460. PC Tackie-yarboi said that he was aware that Mr Omishore may demonstrate *“heightened strength and pain resistance”*. However, he said that this was in relation to his consideration that Mr Omishore may be experiencing ABD and did not attribute it to anything else.
461. The officers’ assessment of risk posed to members of the public and themselves appears to be based on non-discriminatory reasons, including what had been reported by members of the public, the UK threat level, the location of the incident being on a London Bridge which have previously been the location of high profile and serious terrorist incidents and, that Mr Omishore was holding what appeared to be a weapon.
462. The evidence and rationales for the use of force employed against Mr Omishore is outlined in the section above. In addition, PC Tackie-yarboi’s previous use of force forms were examined. However, the sample size was so small (five in the preceding 12 months) that it does not appear any meaningful analysis can be undertaken.
463. The evidence from both officers’ previous conduct history does not suggest a pattern or evidence of previous discriminatory behaviour.

464. The IOPC review of Taser cases also highlighted that there was a link to long discharges of the Taser to discrimination. This was 60% more likely when the person was Black.
465. Whilst the Taser was used on Mr Omishore multiple times, the longest the Taser was discharged at any one time was five seconds. This is the standard length of time when the trigger has been pulled.
466. In total, the time the Taser was used on Mr Omishore was approximately 8.5 seconds. This was over four discharges.
467. The decision maker may wish to consider if Mr Omishore was treated less favourably due to his race.
468. In relation to any possible poor mental health that Mr Omishore may have been experiencing, NPCC and APP guidance on ABD both list ABD as a medical emergency. It states officers should immediately call for an ambulance if they suspect they are interacting with a person who they suspect to have ABD.
469. The evidence suggests that officers whilst suspecting ABD, did not call for an ambulance.
470. Even though the risk of harm to themselves, members of the public or Mr Omishore himself may have resulted from mental illness rather than from any criminal intention, the officers' duties and powers to protect them, using force if necessary, reasonable and proportionately applied. As the training states, officers must first contain the risk. Therefore, the evidence may support it was reasonable for the officers to have first contained Mr Omishore before treating his mental health.
471. The decision maker may wish to consider if this was the correct action for the officers to take.
472. Only PC Tugwell has had specific training in relation to ABD. PC Tackie-yarboi has received training about mental health in his Taser training which was approximately 15 minutes according to the documents.
473. The decision maker may wish to consider whether the officers have had sufficient training in relation to dealing with people in mental health crises.
474. The decision maker may wish to consider whether the officers treated Mr Omishore unfairly or unlawfully due to his mental ill health.

> TOR 1E: The complaints raised by the family in relation to the MPS that are not specified in the TOR

The MPS putting out a press release at 3.15pm on 4 June when the investigation had already been declared independent by the IOPC

475. The agreed media protocol between the IOPC, NPCC and all police forces (the Protocol) does not prohibit police forces from releasing media statements. It is intended to set out a framework on how the IOPC and the police will handle media inquiries and communicate publicly where a case is referred to the IOPC. It is not legally binding and does not create any duties or responsibilities.
476. It states that there may be occasions when an incident referred to the IOPC may occur in public places and are witnessed and/or filmed by members of the public. It states that in the absence of any further context, the police force is responsible for issuing factual information.
477. The person in the white van as seen on BWV, had recorded part of the incident on their mobile phone. This footage was released onto social media and had been picked up by news outlets.
478. The MPS Press Bureau explained that the MPS press release had already been prepared prior to the incident being declared independent with it approved for release at 2.43pm. The IOPC declared the incident independent at 2.40pm. It appears reasonable that this message was not shared with the IOPC press bureau prior to it being approved, as there were only three minutes between the two actions.
479. The MPS continued with the publication of the press release after they had known the incident was independent, as they had already received multiple press queries due to the posted mobile phone footage. The MPS Press Bureau explained their belief was that it was in the public interest for them to release their statement, as it would have caused a delay to wait for the IOPC to prepare their own statement. They detailed that this would have caused a communications vacuum allowing for further uninformed commentary on this.
480. The IOPC did not raise any issue itself with the MPS alleging the protocol had not been followed and the evidence may support that it was reasonable for the MPS to not wait for the IOPC to prepare their own statement due to their belief there was an imminent need to release information about the incident and in light of multiple media queries. The evidence also suggests that the MPS were concerned that public confidence in policing may have been inadvertently affected due to the nature of the footage, until such time context was provided to members of the public.
481. The decision maker may wish to consider whether it was reasonable for the MPS to issue a press release in light of the social media footage and after the incident was declared independent.

The MPS referring in that press release to Mr Omishore being “armed with a screwdriver” when the cigarette lighter had been seized by them and was in their possession. The family query what other press briefings were given by the MPS repeating the factual error

482. The Protocol states that police forces should issue factual information including:
- Why something has been referred to the IOPC/reassurance that the incident has been referred to an independent body
 - Information and circumstances around a pre-planned or intelligence-led operation that has led to a referral to the IOPC
 - Factually correct information about – (for example) – why police were in the area or numbers of police in the area
 - Commentary on any parallel criminal investigation by the police
 - Other matters impacting on local people or the wider public interest
483. In the context of the MPS press release, they stated “*it was reported that a man was armed with a screwdriver...*”.
484. This was a factual report by the MPS, as this is what was reported by various members of the public. There is no record of the public reporting to the police that Mr Omishore was in possession of a cigarette lighter. It was not said in the press release that this was the item that Mr Omishore was holding.
485. The Protocol also states that police forces should restrict their comments at the early stage to matters of fact, which cannot be disputed during the IOPC investigation.
486. Whilst the reports of Mr Omishore being armed with a screwdriver turned out to be untrue, many of those observing from a distance did believe it was a screwdriver as is evident from the 999 phone calls.
487. This comment was further repeated in an updated media release on 5 June.
488. The MPS Press Bureau explained they did not correct the item in the 5 June release, as it was an independent investigation. They further explained that as the IOPC were the lead investigatory body, as per the agreed media protocol, it was for the IOPC to correct this information. They asserted that the information in the press release was correct, given the nature of the initial reports to the police.
489. The evidence suggests that the MPS did follow the Protocol in relation to this and this was a matter for the IOPC to correct.

490. The decision maker may wish to consider whether the MPS followed the agreed media protocol. The decision maker may also wish to consider whether it would have been appropriate for the MPS to comment on the actual item when it had not been confirmed by the IOPC and when it was an independent IOPC investigation.

The 3.15pm press release also asserts that “a Taser was discharged but this did not enable the officers to safely detain him”. The family assert that this was irresponsible and should not have been made by the MPS as it pre-judges the independent IOPC investigation which was then under way, and again sets a prejudicial narrative against Mr Omishore in the public domain

491. The social media footage which was in the public domain at the time of this press release, clearly showed that Mr Omishore had been Tasered a number of times. It also clearly showed that it was not effective as Mr Omishore was able to rise to his feet and jump over the bridge railing.
492. The Protocol states that whilst the IOPC can make representations on a police force’s press release, they have no authority to direct them to change anything.
493. The MPS Press Bureau explained that the phrase “*safely detain*” was the wording used by the press officer, which was then approved by multiple officers. They stated it was a generic term to describe that the aim of the officers would have been to safely detain him. They detailed that the phrase could refer to either or both the safety of the officers or Mr Omishore, and that the wording was not specific on this point.
494. The evidence suggests that the MPS were not making a judgement about the incident, however were trying to convey the aim of the officers to members of the public.
495. The decision maker may wish to consider whether it was reasonable for the MPS to issue a press release in light of the social media footage and the need to provide an explanation to the public. However, the decision maker may also wish to consider whether it was premature to use the term “*safely detain*” at this early stage of the investigation when addressing the family’s complaint that this may have set a prejudicial narrative against Mr Omishore.

The delay in the lighter being handed over by the MPS to the IOPC and/or the MPS informing the IOPC that the exhibit was a lighter and not a screwdriver

496. The lighter was handed over to the IOPC by the MPS at a mutually agreed date.
497. The MPS informed Mr C what the item was on 4 June, however they did not see the item due to the various priorities they were overseeing. The

item could therefore not be independently verified until a member from the IOPC saw the item. This was done on 9 June.

498. The decision maker may wish to consider if there was a delay in handing over the item to the IOPC. They may wish to consider whether it was reasonable for the IOPC to independently verify the item.

> Questions to be answered by the DSI investigation

499. At no point during the investigation was a determination made, pursuant to para 21A of Schedule 3 to the Police Reform Act 2002, that any person serving with the police:
- (a) May have committed a criminal offence; or
 - (b) Behaved in a manner that would justify the bringing of disciplinary proceedings
500. On receipt of this final investigation report, Adam Stacey, acting with the delegated authority of the DG under paragraph 24A(4) of Schedule 3 to the Police Reform Act 2002, is required to finally determine the two matters referred to above.
501. To conclude this analysis, I, as lead investigator, will consider the following:
- (a) What evidence is available regarding the nature and extent of police contact with Mr Omishore prior to his death?
 - (b) What evidence is available in relation to whether the police may have caused or contributed to Mr Omishore's death?

> What evidence is available regarding the nature and extent of police contact with Mr Omishore prior to his death?

502. BWV, social media footage, airwaves, officer's statements and witness statements confirm that two officers engaged with Mr Omishore prior to him jumping over the railing of Chelsea Bridge. This included providing Mr Omishore with instructions and use of Taser.

> What evidence is available in relation to whether the police may have caused or contributed to Mr Omishore's death?

503. PC Tackie-yarboi did use force a number of times on Mr Omishore in an attempt to detain him for reasons, which the evidence supports were to protect him from harming himself and/or others. It is impossible to know whether Mr Omishore would have jumped into the Thames if the officers had not attempted to detain him, including by using the Taser, although it is possible to speculate that he may not have done so. It can be said that had they succeeded in detaining him, he could not have done so. To this extent, their failure to detain him successfully is an omission which may have contributed to his death.

> Learning

504. Throughout the investigation, the IOPC has considered learning with regard to the matters under investigation. The type of learning identified can include improving practice, updating policy or making changes to training.

The IOPC can make two types of learning recommendations under the Police Reform Act 2002 (PRA):

- Section 10(1)(e) recommendations – these are made at any stage of the investigation. There is no requirement under the Police Reform Act for the Appropriate Authority to provide a formal response to these recommendations.
- Paragraph 28A recommendations – made at the end of the investigation, which do require a formal response. These recommendations and any responses to them are published on the recommendations section of the IOPC website.

505. **Potential learning to be considered by the decision maker**

I have identified the following areas of potential learning for the attention of the decision maker, to inform any recommendations they may wish to make:

1. The officers training on mental health de-escalation tactics appears to be limited. For example, BUGEES appears to only be taught to Taser officers.
2. PC Tugwell did not appear to know how to safely engage in an incident with a Taser officer, including how to handcuff a person who has been/connected a Taser and this appears to have been because he had not received Taser training.
3. Chelsea Bridge did not have any lifesaving equipment located on the bridge.
4. MetCC staff did not pass on concerns over mental health to the officers, which may have impacted their risk assessment.

> Next steps

506. The decision maker will now set out their provisional opinion on the investigation outcomes. The decision maker will record these on a separate opinion document.
507. The decision maker will also identify whether a paragraph 28ZA recommendation (remedy) or referral to the Reflective Practice Review Process (RPRP) is appropriate.
508. Where a complaint investigation has not been subject to special procedures, the decision maker will determine whether: i) the service provided by the police was acceptable; ii) the service provided by the police was not acceptable; or iii) we have looked into the complaint, but have not been able to determine if the service provided was acceptable.
509. The decision maker will also decide whether any organisational learning has been identified that should be shared with the organisation in question.

> Criminal offences

510. On receipt of this report the decision maker must decide, in relation to the Death and Serious Injury investigation, if there is an indication that a criminal offence may have been committed by any person to whose conduct the investigation related.
511. In relation to the complaints, although they have not been subject to special requirements, the decision maker must still decide if any offence may have been committed and if so whether it is appropriate to refer the matter to the CPS.

Complaint

Chelsea Bridge

Investigation into the contact police officers had with Mr Oladeji 'Deji' Omishore before his death.

- > Independent investigation report
- > Appendices

> Appendix 1: The role of the IOPC

The IOPC carries out its own independent investigations into complaints and incidents involving the police, HM Revenue and Customs (HMRC), the National Crime Agency (NCA) and Home Office immigration and enforcement staff.

We are completely independent of the police and the government. All cases are overseen by the Director General (DG), who has the power to delegate their decisions to other members of staff in the organisation. These individuals are referred to as DG delegates, or decision makers, and they provide strategic direction and scrutinise the investigation.

The investigation

At the outset of an investigation, a lead investigator will be appointed, who will be responsible for the day-to-day running of the investigation on behalf of the DG. This may involve taking witness statements, interviewing subjects to the investigation, analysing CCTV footage, reviewing documents, obtaining forensic and other expert evidence, as well as liaison with the coroner, the CPS and other agencies.

They are supported by a team, including other investigators, lawyers, press officers and other specialist staff.

Throughout the investigation, meaningful updates are provided to interested persons and may be provided to other stakeholders at regular intervals. Each investigation also passes through a series of reviews and quality checks.

The IOPC investigator often makes early contact with the CPS and is sometimes provided with investigative advice during the course of the investigation. However, any such advice will usually be considered to be confidential.

Complaint matters

An investigation into a complaint is not automatically an investigation into whether a person serving with the police has a case to answer for misconduct or gross misconduct. It will investigate the issues raised in an individual's complaint.

An investigation may become subject to special procedures (see more below) if the IOPC lead investigator considers that there is an indication that a person to whose conduct the investigation relates may have:

- a) committed a criminal offence, or
- b) behaved in a manner that would justify them facing disciplinary proceedings

> **Complaints that are subject to special procedures**

The complaints subject to special procedures focus on the actions of the identified officers to enable conclusions to be drawn about whether there is a case to answer in respect to the actions of an individual serving with the police. Individuals subject to the investigation will have been formally served a notice explaining the conduct under investigation and setting out their rights. The conclusions drawn cannot be about whether the complaint is upheld or not, but instead are about whether the subject has a case to answer for misconduct or gross misconduct, or whether the performance of any person was unsatisfactory.

> **Complaints not subject to special procedures**

For complaints not subject to special procedures, the IOPC decision maker may reach an opinion about whether the performance of anybody who was the focus of the complaint was unsatisfactory, if applicable. Because the complaint was not subject to special procedures, these individuals will not have been served with a formal notice, as would be the case for complaints subject to special procedures.

Some complaints will be about the standard of service provided by the police, rather than a person's actions. In such cases, special procedures will not be relevant, but a decision as to whether the service provided by the police was/was not acceptable should be made or alternatively, confirmation that we have been unable to determine whether the service provided was acceptable.

Investigation reports

Once the investigator has gathered the evidence, they must prepare a report. The report must summarise and analyse the evidence and refer to or attach any relevant documents.

The report must then be given to the decision maker, who will decide if a criminal offence may have been committed by any of the subjects of the investigation, and whether it is appropriate to refer the case to the CPS for a charging decision.

The decision maker will reach a provisional opinion on the following:

- a) whether any person to whose conduct the investigation related has a case to answer in respect of misconduct or gross misconduct or has no case to answer;
- b) whether or not any such person's performance is unsatisfactory;
- c) whether or not disciplinary proceedings should be brought against any such person and, if so, what form those proceedings should take (taking into account, in particular, the seriousness of any breach of the Standards of Professional Behaviour);

- d) whether or not performance proceedings should be brought against any such person; and
- e) whether or not any matter which was the subject of the investigation should be referred to be dealt with under the reflective practice review process.

The decision maker will also decide whether to make individual or wider learning recommendations for the police.

Misconduct proceedings

Having considered any views of the appropriate authority, the decision maker is required to make the final determination and notify the appropriate authority to:

- a) whether any person to whose conduct the investigation has related has a case to answer for misconduct or gross misconduct or has no case to answer;
- b) the performance of any person to whose conduct the investigation related is unsatisfactory; and
- c) whether or not disciplinary proceedings should be brought against any person to whose conduct the investigation related and, if so, what form the disciplinary proceedings should take.

The decision maker may also make a determination as to any matter dealt with in the report. This may include a decision that a matter amounts to practice requiring improvement (PRI) and as such should be dealt with under the reflective practice review process (PRPR) or recommendation under paragraph 28ZA (remedy).

Unsatisfactory Performance Procedures

UPP is defined as an inability or failure of a police officer to perform the duties of the role or rank the officer is currently undertaking to a satisfactory standard or level.

The decision maker can recommend and, where necessary, direct an appropriate authority to refer an officer to any stage of the unsatisfactory performance procedure. The appropriate authority must comply with a direction from the decision maker and must ensure proceedings are proceeded with to a proper conclusion. The appropriate authority must also keep the decision maker informed of the action it takes in response to a direction concerning performance proceedings.

Practice Requiring Improvement

Practice Requiring Improvement (PRI) is defined as underperformance or conduct not amounting to misconduct or gross misconduct, which falls short of the expectations of the public and the police service as set out in the police Code of Ethics.

Where PRI is identified, the Reflective Practice Review Process (RPRP) is followed. However, there may be instances where PRI is identified, but for a variety of reasons the RPRP process is not instigated, for example due to the wellbeing of an officer. Please refer to the Home Office Statutory Guidance for further information.

RPRP is not a disciplinary outcome but a formalised process set out in the Police (Conduct) Regulations 2020. It is more appropriate to address one-off issues or instances or where there have been limited previous attempts to address emerging concerns around low-level conduct. In some instances it may be appropriate to escalate the matter to formal UPP procedures where there is a reoccurrence of a performance related issue following the completion of the Reflective Practice Review Process.

The IOPC cannot direct RPRP: it can only require the appropriate authority to determine what action it will take.

Criminal proceedings

If there is an indication that a criminal offence may have been committed by any person to whose conduct the investigation related, the IOPC may refer that person to the CPS. The CPS will then decide whether to bring a prosecution against any person. If they decide to prosecute, and there is a not guilty plea, there may be a trial. Relevant witnesses identified during our investigation may be asked to attend the court. The criminal proceedings will determine whether the defendant is guilty beyond reasonable doubt.

Inquests

Following investigations into deaths, the IOPC's investigation report and supporting documents are usually provided to the coroner. The coroner may then hold an inquest, either alone or with a jury. This hearing is unlike a trial. It is a fact-finding forum and will not determine criminal or civil liability. A coroner might ask a selection of witnesses to give evidence at the inquest. At the end of the inquest, the coroner and/or jury will decide how they think the death occurred based on the evidence they have heard and seen.

Publishing the report

After all criminal proceedings relating to the investigation have concluded, and at a time when the IOPC is satisfied that any other misconduct or inquest proceedings will not be prejudiced by publication, the IOPC may publish its investigation report, or a summary of this.

Redactions might be made to the report at this stage to ensure, for example, that individuals' personal data is sufficiently protected.

> Appendix 2: Terms of reference

Terms of Reference

Investigation into the death of Oladeji Omishore on Saturday 4 June 2022 following Police contact.

Investigation Name:	Chelsea Bridge
Investigation Type:	Independent
Appropriate Authority:	Metropolitan Police Service (MPS)
Case Reference:	2022/170680
Director General (DG) Delegate (decision maker):	Adam Stacey
Lead Investigator:	Michelle Grahle
Target Range:	6 - 9 months

Summary of events

This summary is presented on the basis of information presently available to the IOPC. The veracity and accuracy of that information will be considered as part of the investigation and will be subject to review.

At 9.02am on Saturday 4 June 2022 the MPS received a call from a member of the public stating there was a man on Chelsea Bridge waving a screwdriver around and shouting religious remarks.

At 9.05am two uniformed police officers located Mr Omishore standing in the middle of the road on Chelsea Bridge holding an object. The officers engaged with Mr Omishore who did not appear to comply with their instructions. He was tasered more than once by the officers before he moved towards the barrier between the road and the pedestrian walkway and climbed over it. Mr Omishore then climbed over the railings of the bridge and fell into the water below.

Mr Omishore was rescued from the water by the Royal National Lifeboat Institution (RNLI) and first-aid was provided.

He was taken to St Thomas's hospital where was pronounced deceased at 8.29pm.

On 21 June 2022, the IOPC met with the family who formally complained about the MPS. In summary, the complaints related to the content of the MPS press release on 4 June and subsequent press releases, and the delay in handing over the item to the IOPC, now known to be a long-handled firelighter.

Terms of Reference

1. To investigate with reference to local and national policies, procedures and training, the police contact with Mr Omishore on 4 June 2022, specifically:
 - a) The information provided to Control Room staff by members of the public and dissemination of that information to officers;
 - b) The use of force and whether it was necessary, proportionate, and reasonable in the circumstances;
 - c) The communication between the officers and Mr Omishore;
 - d) Whether Mr Omishore was treated less favourably due to a protected characteristic;
 - e) The complaints raised by the family in relation to the MPS.
2. To assist in fulfilling the state's investigative obligation arising under the European Convention on Human Rights (ECHR) by ensuring as far as possible that the investigation is independent, effective, open and prompt, and that the full facts are brought to light and any lessons are learned.
3. To identify whether any subject of the investigation may have committed a criminal offence and, if appropriate, make early contact with the Director of Public Prosecutions (DPP). On receipt of the final report, the decision maker shall determine whether the report should be sent to the DPP.
4. To identify whether any person serving with the police may have behaved in a manner which would justify disciplinary proceedings and to enable an assessment as to whether such persons have a case to answer for misconduct or gross misconduct or no case to answer.
5. To consider and report on whether there may be organisational learning, including:
 - whether any change in policy or practice would help to prevent a recurrence of the event, incident or conduct investigated;
 - whether the incident highlights any good practice that should be shared.

The decision maker responsible for oversight of this investigation is Adam Stacey, Operations Manager. The decision maker has approved these terms of reference. At the end of the investigation they will decide whether or not the report should be submitted to the Director of Public Prosecutions. They will also consider the Appropriate Authority's views on the content of the report, before making a final determination.

These terms of reference were approved on 27 July 2022.