

IOPC investigation finds Gwent Police use of force reasonable prior to the death of Mouayed Bashir

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News

An investigation by the Independent Office for Police Conduct (IOPC) found that the force used by Gwent Police officers on Mouayed Bashir was reasonable prior to his sad death in Newport in 2021.

We investigated police interaction with Mouayed and his parents on the morning of 17 February 2021, after officers had responded to an emergency call from his family, expressing concern for his welfare. We also investigated several complaints from Mouayed's family about police involvement that morning and their treatment by officers, including that officers' actions may have been influenced by the family's race.

We found that the use of restraints by officers to attempt to prevent Mouayed harming himself was justified in the challenging and traumatic circumstances that police and Mouayed's family faced. Based on the evidence we gathered, the officers' actions that morning were driven by their assessment of the risks Mouayed posed to himself and to others present and did not suggest that he was treated less favourably because of his race.

While we found no grounds for bringing disciplinary proceedings against any of the officers involved, we considered that communication with Mouayed's parents by some officers, at certain times during the highly distressing incident, lacked empathy and compassion. We found it concerning that while officers recognised they were dealing with a medical emergency, Acute Behavioural Disturbance (ABD) was not communicated as a potential impact factor in his ill health to the ambulance service. We recommended a number of enhancements for Gwent Police to consider for officer training with regards to ABD and restraint.

Issuing our findings has awaited the end of an inquest. The inquest jury in Newport has today (Friday) returned a narrative determination, and that Mouayed's cause of death was cocaine intoxication, contributed to by the effects of ABD, following a period of restraint.

IOPC Director David Ford said: “First and foremost, my thoughts remain with Mouayed’s family and everyone affected by his untimely death. It is a tragedy that Mouayed died in the circumstances that he did and I am extremely sympathetic with the position that Mouayed’s parents found themselves in during the medical emergency. They naturally wanted to help their son, who has sadly lost his life at a young age.

“After our investigation was completed, we provided Mouayed’s family with the detail of our findings and explained the reasoning behind the complaint outcomes. We also submitted our report to the coroner to assist the inquest.

“Having reviewed the evidence carefully, we acknowledge that officers were faced with an extremely challenging situation and worked together to try to assist Mouayed and keep him safe until paramedics arrived. While we found communication by some officers with Mouayed’s family lacked empathy at times, we did not find any indication that the officers behaved in a manner that would justify bringing disciplinary proceedings. We identified a number of areas for further training and learning that we shared with Gwent Police. The force accepted our recommendations.”

Our independent and thorough investigation was completed by summer 2022. We reviewed a range of evidence we had gathered including detailed accounts from the officers involved, accounts from family members, police body worn video, radio transmissions and call logs.

Shortly after arriving at the Bashir family’s house, police officers called for an ambulance. Mouayed, who was not arrested, was initially handcuffed and leg restraints were applied. His condition worsened and by the time an ambulance arrived, nine police officers had attended. Paramedics gave Mouayed medical treatment in the property before he was moved to a waiting ambulance. Mouayed sadly died in hospital later the same morning. It became clear from our review of the emergency call recording and body worn video footage that officers were responding to a highly charged and challenging incident where Mouayed was in crisis. The evidence demonstrated that the officers who initially arrived acted calmly and promptly, with the objective of assessing the risk and negotiating entry into a room, where Mouayed had apparently barricaded himself in, to assess the situation further. We did not find evidence that any officer used more force than was necessary. As Mouayed’s behaviour became more erratic, handcuffs and leg restraints were applied to protect him and others. The evidence indicated he was continually monitored and attempts were made to reassure him. The handcuffs were removed before Mouayed was taken to hospital. The leg restraints remained in place as a precaution on the way

to the hospital and ambulance staff advised officers at the time that the restraints did not impact on his treatment.

In respect of some of Mouayed's family's complaints, including around calling an ambulance and alleged use of Taser, we found the service Gwent Police provided was acceptable. After downloading of Taser data and taking into account the post-mortem findings, we did not find any evidence to support the assertion that officers had used a Taser. We did uphold two complaints around communication with the family, including that officers were rude or unnecessarily forceful at times with Mouayed's parents. Notwithstanding the stressful situation, we found several occasions during the incident when officers' verbal responses to Mr and Mrs Bashir were unhelpful and exacerbated their distress, when they could have shown a greater understanding of the upset Mouayed's parents were going through. We recommended to the force that one officer receive reflective practice and that two further officers should reflect on their practice and consider learning from the incident.

We also examined a family complaint that Mouayed's parents were treated differently by Gwent Police as a result of their race. Some of the difficult exchanges between police officers and Mouayed's parents during the incident may have fed into their perception of racial bias. However, the evidence indicates that police were dealing with dynamic circumstances and were focused on Mouayed's welfare during the unfolding medical emergency. The evidence we gathered revealed times when officers should have shown greater compassion but did not suggest that Mouayed's parents were treated less favourably by police because of their race.