

# Post-incident procedures following death or serious injury

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Forces should develop a local implementation plan to set out how the PIPs will be implemented, and how the key roles and specific responsibilities identified in this guidance are to be carried out. The identification of the appropriate individuals who will be best placed to carry out these responsibilities may be assisted by reference to the [post-incident responsibilities](#) described in this guidance. This implementation plan should include an appropriate level of training and awareness for staff that may be affected by, or have specific responsibilities within, the procedure (see [post-incident procedures](#)).

This guidance is not applicable where a death or serious injury (DSI) results, directly or indirectly, from the discharge of a firearm or less lethal weapon by a police officer or member of police staff (see [APP on armed policing – post-deployment](#)).

This guidance should be read in conjunction with the [Independent Office for Police Conduct \(IOPC\) Statutory Guidance to the Police Service for Achieving Best Evidence in Death or Serious Injury Matters](#).

"A DSI matter means any circumstances (unless the circumstances are or have been the subject of a complaint or amount to a conduct matter) in or as a result of a person's death or serious injury and:

- at the time of the DSI, the person had been arrested by a person serving with the police and had not been released, or was detained in the custody of a person serving with the police

or:

- at or before the time of the DSI, the person had direct or indirect contact with a person serving with the police who was acting in the execution of their duties, and there is an indication that the

contact may have directly or indirectly caused or contributed to the DSI. This sub-category excludes contact that a person suffering the DSI had while acting in the execution of their duties as a person serving with the police" (see [Police Reform Act 2002 s 12](#), as amended by the Policing and Crime Act 2017)

A serious injury is a fracture, deep cut, deep laceration or injury causing damage to an internal organ or the impairment of any bodily function (see [section 29 of the Police Reform Act 2002](#)).

The circumstances surrounding a DSI may not involve the use of force by a police officer or member of police staff. Where reference to the use of force is made in this guidance, consider whether the specific guidance is relevant or applicable in those circumstances.

Where a chief officer becomes aware of a DSI matter relating to a person under their direction and control, the chief officer must take all appropriate steps for the purposes of [the Police Reform Act 2002, Part 2](#) to obtain and preserve evidence relating to that DSI matter.

This duty must be performed as soon as practicable after the chief officer becomes aware of the DSI. They should continue to take appropriate steps to obtain and preserve evidence until they believe it is no longer necessary to do so.

The chief officer must take any steps directed by the relevant IIA or local policing body to obtain or preserve evidence (see [paragraph 14B, Schedule 3](#) of the Police Reform Act 2002).

Under the Police Reform Act 2002, Schedule 3, [paragraphs 4\(1\)\(a\), 13\(1\)\(a\) and 14C\(1\)](#) (as amended by the [Serious Organised Crime and Police Act 2005, Schedule 12](#)), police forces in England and Wales have a statutory duty to refer any complaint or incident involving a DSI which has occurred during or following police contact to the IOPC, where there is an allegation or indication that direct or indirect police contact may have caused or contributed to the DSI.

- A complaint must be referred if it alleges that the conduct complained of resulted in a DSI.
- A conduct matter must be referred if the conduct matter relates to any incident or circumstances, in or in consequence of which, any person has died or suffered serious injury.
- All DSI matters (as defined within this guidance) must be referred.

## Article 2 ECHR and the duty to investigate

The [European Convention on Human Rights \(ECHR\) Article 2](#) imposes a duty on the state to conduct an effective official investigation when individuals have been subject of a DSI as a result of the use of force by the police. According to the ECHR, the investigation must:

- be on the state's own initiative (for example, not civil proceedings)
- be independent, institutionally and in practice
- be adequate and capable of determining whether the force used was justified in the circumstances and leading to the identification and accountability of those responsible
- be prompt
- allow for sufficient public scrutiny to ensure accountability
- allow the next of kin to participate – see [Jordan v UK \(2001\) 37 EHRR 2](#)

The Articles of the ECHR are contained in the schedule to the [Human Rights Act 1998](#) and are therefore incorporated into UK law.

Relevant case law:

- [Jordan v United Kingdom \(2001\) 37 E.H.R.R. 52](#)
- [Ramsahai v Netherlands \(2008\) 46 E.H.R.R. 43](#)
- [R \(on the application of Amin \(Imtiaz\)\) v Secretary of State for the Home Department \[2003\] UKHL 51](#)

## Purpose of an Article 2 investigation

The requirements under [ECHR Article 2](#) are relevant and can extend to any situation in which a DSI occurs during an incident or operation where police are involved.

The essential purposes of an Article 2 investigation are:

- to secure the effective implementation of domestic laws which protect the right to life
- in those cases involving state agents, ensuring their accountability for deaths occurring when under their responsibility

The investigation must be capable of leading to a determination of whether the force used was or was not justified in the circumstances, and to the identification and punishment of those responsible, where appropriate.

## Who will investigate?

Investigations may be conducted by a force PSD or IIA, such as the IOPC in England and Wales, the Police Ombudsman for Northern Ireland or, in Scotland, under arrangements set out by the Police Investigations Review Commissioner (PIRC). The Health and Safety Executive may also undertake investigations.

## Effective investigation

The aims of a DSI investigation are to:

- ensure that the applicable law is properly followed and implemented
- ensure accountability when the law has not been properly followed and implemented, for instance through disciplinary and/or criminal proceedings

## Independent investigations

The scope of the investigation is likely to be wide ranging. It will include establishing the facts and drawing conclusions in respect of the DSI, the circumstances leading up to the DSI and all the issues surrounding it, such as police activity, management and planning.

## Investigative function

Following a DSI, the police service should first take all appropriate steps to reduce any possible investigative risks and deficiencies, such as failure to secure evidence. The procedures adopted should demonstrate integrity in all actions and discussions between the officers and staff involved, and must be able to withstand scrutiny.

Nothing in this section should be interpreted as constraining effective action, by the police service or the officers and staff involved, in adopting an operationally necessary procedure to secure best evidence, arrest or bringing to justice those who may be involved in ongoing criminal activity, or a follow-up investigative process.

The responsibility for securing evidence and taking appropriate action in an Article 2 investigation remains with the police service until the IIA takes over the investigation. The responsibility of the police force being investigated is to facilitate the investigation through, for example:

- identifying and preserving scenes and exhibits
- identifying immediately available witnesses
- securing physical evidence
- providing experienced family or witness liaison officers

The IIA should be notified without delay. This will enable them to adopt appropriate procedures and agree initial actions required by the police at an early stage.

## Post-incident procedures (PIP)

Post-incident is the period after a DSI, where the criteria for the implementation of a post-incident investigation has been met and an investigation into police action or inaction is to be conducted. It is not possible to identify or prescribe a time limit after which a DSI occurs and a PIP may be implemented. Any decision should therefore be based on the circumstances and nature of the investigation.

The associated procedure is scalable and, while all elements of the procedure should be considered, it may not be necessary to apply them every time. This will depend on the circumstances, significance and consequences of the event.

Where a DSI occurs, regardless of whether force has been used, PIPs need to ensure that investigations are conducted in a manner which:

- ensures the integrity of the legal process in respect of police action, persons arrested or evidential material seized
- enables follow-up action related to any ongoing crime
- identifies any operational or safety-critical issues in respect of procedures, training or equipment used
- ensures individual, team and organisational learning takes place and is addressed locally and nationally, as appropriate

There are a number of roles with specific responsibilities within a PIP which are described in this guidance. These are:

- initial investigating officer (IIO)
- investigator from an IIA or force PSD

- chief officer (or delegated senior officer)
- force duty officer (FDO)
- post-incident manager (PIM)
- appointed officer

The responsibilities of those listed above are outlined in [post-incident responsibilities](#).

There are additional roles that are relevant to a PIP, for which specific responsibilities are not described within this guidance (for example, federation, staff associations, trade unions and legal advisers).

The [National Decision Model](#) provides a structure to address post-incident issues and can be used as a structure for any debrief process (see [debriefing](#)).

Early consideration should be given to:

- the impact of the incident on those affected, their family and the community (see [community impact assessment](#))
- media management and internal communications related to addressing immediate concerns of the public and police officers/staff (see [media releases](#))
- the nature of any debrief to be undertaken
- the requirement for an explanation and/or, where appropriate, an apology to the people affected

The appropriateness and sequence of the above issues will depend on the circumstances and whether the [criteria for a post-incident investigation](#) have been met. If a post-incident investigation is to be undertaken, the suitability of any of the above considerations should be discussed and agreed with the relevant investigative authority. Relevant issues for when an investigation is conducted are set out in [post-incident procedures](#).

For further information see:

- APP on [statutory duty to refer to the IOPC](#)
- [A guide to the APP for post-incident procedures in death or serious injury \(DSI\) following police contact matters](#)

## Criteria for post-incident investigations

Post-incident investigations will commence in all situations where, following contact with the police, a DSI occurs (these will ordinarily be subject to mandatory referral to the IIA). Where it is unclear whether the actions or inactions of the police have caused or contributed to the DSI, it will be prudent to consult with the IIA.

In DSI incidents that have revealed failings in operational command or supervision, or have caused danger to officers, staff or the public, consideration should be given to informing the IIA to provide an opportunity for independent scrutiny where appropriate.

If the above criteria are not met, the force should still consider the proportionate application of these procedures, where appropriate.

Where a DSI has resulted following police contact, it is in the interests of the public, police and everyone involved in the incident for all subsequent procedures to be open, transparent and demonstrate integrity of all actions.

Where a post-incident investigation is to take place, and the matter is subject to referral to the IIA, the IIA should be provided with sufficient information to determine whether an independent investigation is required as soon as possible. Further information given to the investigative authority should include the action taken and arrangements made for them to begin a post-incident investigation. The IIA will determine the nature of the investigation and the extent of their involvement. Incidents not requiring investigation by an IIA may be investigated by a force's PSD, in accordance with local procedures.

## **The implementation of a PIP**

The decision to implement a PIP rests with the chief officer or delegated senior officer with overall responsibility. An injury that meets the Police Reform Act 2002 section 29 definition of a DSI, and therefore requires referral to the IIA, will not always require the implementation of a PIP. It will depend on the nature and severity of the incident.

In the following circumstances, a PIP must be given serious consideration in every case, and implemented, unless it is clear that doing so would **not** add any value in terms of securing evidence or maintaining confidence in the investigation (see [assessing the necessity and/or scale of a PIP](#) ).

- The injury suffered is/is likely to be life changing for the injured person.

- The injury suffered is/is likely to be life threatening for the injured person.
- The circumstances of the DSI require/are likely to require the declaration of a critical incident (see [\*\*APP – critical incident management\*\*](#)).

It may be appropriate to implement a PIP in other circumstances where an investigation is to be conducted and the procedure will assist the investigation.

## **Assessing the necessity and/or scale of a PIP**

In assessing the necessity and/or scale of a PIP, the following may be relevant.

- The nature of the scene – what action, if any, needs to be taken to preserve it?
- The evidential retrieval that can take place:
  - officers/staff personal initial accounts – do these need to be obtained/provided as soon as possible? Are there other evidential retrieval considerations in relation to the officers/staff, such as body-worn video (BWV), clothing, conducted energy devices (Tasers), irritant spray, batons, handcuffs, and spit and bite guards?
  - what other evidence is there that needs to be obtained/preserved, such as forensics, in-car footage and IDR downloads?
- The potential impact if evidence is not retrieved immediately. For example, could it be lost, overwritten or become less reliable?
- The potential impact on public confidence that a delay in evidential retrieval, in particular of witness accounts, could have?
- The staff welfare considerations.
- The length of time elapsed between police contact and police knowledge of the DSI.
- The nature and extent of direct police involvement in the DSI circumstances.

While this is not an exhaustive list of considerations, it may help in determining the value that a PIP would have in the subsequent investigation or assisting the officers and staff involved.

The decision whether or not to implement a PIP should be made by the chief officer or delegated senior officer, in consultation with the IIA where appropriate, and should be recorded.

## **Initial action**



Where a DSI has occurred, the FDO must be informed immediately. The term FDO is used generically to describe the individual who is directly responsible for the force control room and has force command and control responsibility.

Arrangements should also be made to ensure that the nominated force gold or critical incident commander is informed and also, where appropriate, the chief officer on duty/on call (see [critical incident APP](#)). The overall responsibility for PIPs rests with a chief officer or delegated senior officer (who has not been involved in the operational phase). This officer will ensure that a process is in place to initiate a PIP when appropriate. This process should include:

- post-incident investigation (including informing the IIA)
- post-incident management (where appropriate)

## Immediate post-incident considerations

### Initial actions of the FDO

After the DSI has occurred, the FDO should initially establish what has taken place (including the extent of any casualties). The FDO should also establish the following.

- Is any person injured? If so, are they receiving appropriate medical attention?
- Is there an ongoing threat to life or operational imperative that requires continued action from officers or police staff?
- Are there any new or emerging threats or risks outstanding to any person?
- What control measures are in place in respect of these threats or risks?
- Are there any critical operational safety issues that require immediate attention?
- Are any subjects at large? If so, what action is required to locate them?
- To what extent have the original operational objectives been met?
- What additional resources are required?
- Have relevant scenes been identified?
- What action is required to secure and preserve scenes and evidence?
- Has the appropriate PIP been implemented?
- Have KPWs been reminded of the guidance related to conferring?
- Have staff associations/trade unions been notified?
- Have arrangements been made for handover to the IIO?

- Has the force PSD been notified?
- Has the force gold or critical incident commander been briefed?

The FDO's responsibilities will be relevant until they are relieved of their responsibilities or the incident has been brought to a conclusion.

The initial action taken by the FDO should ensure:

- resources are adequately deployed, including medical aid, welfare, operational and technical support
- continuity of command of any ongoing crime-in-action
- integrity of process in relation to securing best evidence
- senior command and the IIA are notified of the event
- community impact is considered and, where appropriate, actions are taken

For any time delay in the arrival of an IIA or PSD investigator, a command decision should be made as to how, and by whom, the scene should be managed and investigatory issues commenced (for example, by appointing an IIO).

## **Appointment of an IIO**

The force in which the incident occurred should consider appointing an IIO. Where practicable, and depending on the seriousness of the injury, this should be an individual accredited to PIP level 3 (senior investigating officer) and any appointment should be made in consultation with the IIA. The IIO is responsible for taking early steps in the investigation prior to, and in preparation for, handover to an appointed investigator from an IIA or other department.

## **Priorities pending the IIA's arrival**

The priorities will usually be:

- meeting any first aid and medical needs
- establishing the circumstances of the incident (see [providing accounts](#))
- managing and protecting the scene to preserve forensic integrity
- identifying witnesses
- identifying KPWs (see [key police witnesses](#))
- separating KPWs (if safe, necessary and practical to do so)

- identifying and securing exhibits
- identifying and liaising with the deceased's family (following consultation with the IIA)
- managing community interest, including the media
- considering measures to protect the identity of KPWs, where appropriate (see [protecting the identity of officers and staff](#))

Unless the immediate removal or seizure of evidence is necessary to prevent loss or deterioration, or to protect the public from harm, action should only be taken to preserve and control the evidence. Any other actions in respect of its recovery, removal or analysis should only be undertaken with the agreement of the IIA. Any action taken to prevent loss, deterioration or harm should be documented along with the justification for taking that action.

## Managed transition

Initial arrangements should enable a managed transition from the operational phase of the incident (if relevant) to the investigation. In this transitional phase, close liaison between the FDO or critical incident commander, the IIO and the individual appointed by the force to manage the post-incident process is important.

## Initial actions of the chief officer (or delegated senior officer)

The gold commander should make an assessment regarding command, coordination and police response, following notification of the incident. They should also consider the strategic issues that need to be addressed in respect of the:

- incident
- family
- community
- police force(s) involved
- service-wide considerations

Responsibilities in relation to the welfare of all staff involved are addressed under **welfare considerations**.

## Management at the scene

Depending on the DSI circumstances, it may not be possible to immediately identify a specific scene(s). Where a scene is identifiable, a supervisor, where present or available, should ensure scene and evidence protection until the IIO arrives. Where practicable, the supervisor should remind officers/staff of the guidance in respect of conferring; they should liaise with the IIO and, where necessary, with the scene of crime officer. If no supervisor is present or available, the FDO should take responsibility for scene management, or delegate this, where appropriate. The rationale for any decisions or action taken in respect of scene management should be recorded.

## **Incident resolved, scene safe**

Where relevant, officers/staff should take all necessary and proportionate action to ensure that the incident is resolved and that the scene is safe. Officers/staff should remain operationally active until stood down.

## **Communication with the control room**

In any DSI, the details of any persons injured or deceased (where known) should be reported to the control room and/or FDO as soon as practicable. Situational and safety-critical information should also be relayed as soon as practicable.

## **Medical aid**

Providing medical aid is a priority.

## **Secure the scene**

Where possible, and without compromising security of officers/staff and persons in the vicinity, action should be taken to secure the scene pending forensic examination, where considered necessary. The IIO, in conjunction with the IIA, will determine the extent to which the scene and potential exhibits needs to be secured.

## **Consider separation**

The FDO should consider (in consultation with the PIM, where practicable) whether officers/staff who are potential KPWs should be separated (see [separating key police witnesses](#)).

## **Appoint a scene manager**

Appointing a scene manager should be a priority for the FDO. The scene manager will be responsible for securing evidence, deploying forensic experts and ensuring forensic recovery in accordance with forensic strategy. Where practicable, this should be developed in consultation with the IIA.

## Record information

If and where any subject's weapons have been recovered, the person finding them should record this and relay the information to the person in charge at the scene. Where, for operational or security reasons, it has been necessary to take any action in respect of a recovered weapon, details of the precise procedures followed should be recorded.

As far as possible, the positions of officers and staff at the scene of an incident should be recorded. The incident may, however, demand the rapid movement of officers/staff. This could involve key actions being taken from more than one position during an event that is developing rapidly. Officers/staff may also become involved in detaining or searching a subject and/or in providing medical assistance. In these circumstances, precise and accurate recall of where officers/staff were, at each stage of the incident, may not be possible.

Where there is an operational imperative to remove a person, vehicle or equipment from the scene at an early stage, the reason for this should be recorded along with their initial location, for the purpose of any future investigation.

## Body-worn video

Body-worn video (BWV) should be activated by officers when they are deployed to an incident and in accordance with force policy.

In the post-incident context, the device should continue to record until their arrival at the post-incident suite and when instructed to turn it off by the PIM or their representative.

This will help to ensure that the officers' consequent actions are captured, such as first aid provision and scene management, and will provide reassurance that inappropriate conferring has not taken place (see [conferring](#)).

If it is necessary to turn BWV off (for example, for welfare or privacy), or if recording ceases due to a fault or battery failure, a supervisor should be notified and the reason should be recorded.

## Dealing with police vehicles

Unless there is a safety-critical reason, do not remove police vehicles in which KPWs attended the scene without the express authority of the FDO or the IIO, in consultation with the IIA.

## Return to police station

As soon as practicable, after the scene is safe or has been secured, those involved in the incident should return to a police station, or other suitable location, for PIPs. In most circumstances, it will be for the FDO or on-scene supervisor (if present) to coordinate this return. This will assist in securing the integrity of the scene and enable officers and staff to attend to post-incident issues, including those of evidence and welfare, in a structured and sensitive manner.

## Safety-critical immediate communications

Where a DSI occurs, officers and staff are permitted, and may be required, to relay situational and safety-critical information to those involved in the ongoing management of the incident or operation (see [providing accounts](#)).

## Post-incident management

During a post-incident investigation, the IIA will, at an early stage, wish to identify the witnesses and KPWs. The early identification of KPWs is most likely to be a consideration for the PIM and FDO. This should be done in consultation with the IIA and chief officer or delegated senior officer.

## Witnesses

Witnesses can be members of the public, police officers, police staff or other emergency responders acting in their professional capacity who have witnessed the incident (whether by sight or sound).

### Key police witnesses (KPWs)

KPWs are police officers or staff who can give direct evidence of the DSI or the circumstances leading to it. This definition is flexible, and must be interpreted according to the particular circumstances. KPWs may include those:

- who were at the scene and in contact with the person(s) deceased or seriously injured
- who immediately witnessed the incident
- who authorised, commanded or supervised police action
- those who provided tactical advice

As the investigation unfolds, others involved in the police operation may become KPWs.

Where practicable, in the initial stages of the investigation, all actions taken by witnesses and KPWs must be noted and carefully documented. These actions will include:

- securing evidence
- any discussion undertaken between witnesses and other persons
- any account given or facts recorded of the incident

Prior to any KPWs providing accounts of what has happened, welfare, including offering medical and legal advice, should be addressed. Those exhibits directly related to the provision of accounts should be secured. Where practicable, involvement of a KPW in securing exhibits should be avoided to ensure independence.

## Conferring

Officers and staff should not confer with others before making their accounts (whether initial or subsequent detailed accounts). It is important that KPWs individually record their honestly held recollection of the circumstances. Therefore, there is no need for them to confer with others about what was in their mind at the time of the incident.

The recall of witnesses can be affected by hearing the accounts of others. Arrangements for obtaining all accounts should ensure that this potential is avoided.

This guidance should not prevent any officer/staff member from relaying operational or safety-critical information to those involved in the ongoing management of the incident or operation. If there is a necessity to provide such information to another person, to ensure transparency and maintain public confidence, the fact that conferring has taken place must be documented, highlighting:

- the time, date and place where conferring took place

- the issues discussed
- with whom
- the reasons for such discussion

## **Role of the post-incident manager (PIM)**

The PIM facilitates, manages and ensures the integrity of the PIP. Chief officers must ensure that appropriately selected, trained, assessed and accredited PIMs are available.

When an officer or member of police staff has attended, and satisfactorily completed, a course of instruction based on this post-incident module, they will be assessed as occupationally competent to perform the role of a PIM.

Chief officers are responsible for ensuring PIMs maintain operational competence by regularly performing the role, or actively participating in relevant continuing professional development. Forces should consider implementing an auditable period of shadowing, mentoring and performance review as a means of achieving operational competence.

## **Refresher training and reaccreditation**

PIMs must undertake annual refresher training. On completing this, a PIM's operational competence should be formally approved by a chief officer, or a person nominated by them. Forces should maintain records of an individual's refresher training as proof of competence.

PIMs must be formally reaccredited at least every five years, but consideration should be given to reaccreditation between three to five years, depending on operational exposure.

## **Nominating a PIM following an incident**

The force to which KPWs belong will usually nominate a PIM. This will apply to any policing incident or operation, including those that cross force boundaries. Appropriate support should be available from the force in whose area the incident occurs.

Forces should consider the possibility of incidents crossing force boundaries and have appropriate joint operational force and regional protocols to deal with PIPs. PIMs often perform their role as part of a PIM team, under the direction of an overall PIM.

## **Initial PIM responsibilities**



The PIM should make and record an early decision on which officers and staff will be considered KPWs. They should make this decision with the chief officer or delegated senior officer responsible for the PIP, the FDO and the IIO. The outcome of this decision will depend on the incident's circumstances.

The PIM's responsibilities will normally commence following the return of KPWs to a police station, or other area where the PIP will take place. In some situations (for example, where the officers/staff are delayed at the scene), it may be appropriate for the PIM to go to the scene.

The PIM's role is to:

- facilitate the investigation
- ensure the integrity of PIPs
- explain PIPs and developments to KPWs
- consider the need to separate KPWs and record associated decisions or arrangements
- ensure that the welfare of KPWs is considered
- keep KPWs informed of developments

For further information, see the following.

- [Post-incident responsibilities](#)
- [Stage two – PIM basic facts](#)

## Protecting the identity of officers and staff

In the early stages of a PIP it may not be practical to identify or fully understand the implications for the safety of the KPWs and their families. The PIM should therefore ensure that action is taken to implement and maintain the protection of the KPWs identities. This should be in place until it can be safely concluded that it is no longer necessary, or sufficient information or intelligence is available to review that decision. The decision should be kept under review by the relevant chief officer (or delegated senior officer). Any associated decision and supporting rationale must be documented.

The primary reasons that it is necessary to protect the identities of KPWs should relate to the potential:

- risk to them or their families as a consequence of their identity becoming known

- compromise of their policing role (for example, counter terrorism, covert or surveillance roles)

Where there is a legal obligation for a KPW to provide personal details, such as under the Road Traffic Act, the implications should be discussed with the IIO and IIA. If there is any uncertainty, the PIM should consult with the chief officer responsible for the PIP.

It should be explained to officers/staff involved that the protection of their identity may have to be removed at some stage, and that anonymity may not be granted, for instance because of a challenge in subsequent legal proceedings. Anonymity can only be formally granted by a court.

Measures to protect the identity of KPWs include:

- maintaining a list of the names of officers/staff involved in the incident (which should be protectively marked, as appropriate)
- using pseudonyms (anonymous references such as 'A', 'B' or 'C') at an early stage (with a list of such references compiled for inclusion in documents)
- securing and restricting access to systems and documents containing details of KPWs (with appropriate protective marking and other measures)
- removing officer/staff details and identity from communications and circulations, including media releases
- advising all officers/staff of their responsibility to maintain appropriate confidentiality
- advising the IIA, Crown Prosecution Service and other agencies that anonymous references have been used and requesting that anonymity be retained until the chief officer/officer in question has had the opportunity to make representations

Where a pseudonym is given to a KPW, a written record of the KPW's real name and their associated pseudonym must be maintained. This process should be managed, and decisions regarding protection of identities considered, ratified and documented by a chief officer. Following such ratification, the force's PSD should provide a copy to the IIA as soon as practical. This provides them with the necessary information to progress their investigation and deconflict relevant documentation. The transfer of this information between named individuals should be recorded.

## Equipment and exhibits

On return to the PIPs' location, or before if appropriate, it is imperative to secure and preserve personal protective equipment or other equipment that has been used or is relevant to the incident.

Handle and secure equipment involved in an incident in a manner that maintains the forensic integrity of the exhibits.

Consideration should be given to photographing or videoing the process, protecting identity where appropriate. Where this is not appropriate or practicable, a detailed record of the relevant equipment's condition should be completed.

All equipment should be dealt with in a manner that ensures that safety, recording and accountability are properly addressed. IIOs will, in liaison with the IIA (where involved), consider which equipment is required to be secured as exhibits and whether clothing should be secured, and if officers/staff should be examined for forensic traces. They should outline this decision to the officers/staff, and their representatives, in person. To avoid danger of cross-contamination, a person who has not been in contact with the deceased or seriously injured person should secure the equipment.

All officers/staff involved in an incident are required to assist with the forensic preservation of their equipment. The PIM or officer coordinating the collection of exhibits should ensure that they are handed over to the appointed exhibits officer at the post-incident management suite or other appropriate location. This should be done in a controlled manner by an appropriately trained person.

KPWs do not have to await the conclusion of the scene examination before their equipment or other exhibits are taken for examination. Where equipment is examined and no longer required as evidence, arrangements should be made, in liaison with the IIA (where involved), for it to be returned to the relevant department as soon as practicable.

Where there is a requirement to download and secure body worn video (BWV) this should, where practical, not be done by the PIM or a KPW. This ensures the appropriate separation of those individuals from the evidence gathering and investigative process.

### **No dispute over who used force (where force is used)**

If there is no foreseeable dispute as to who used force, there may be no requirement for other measures to identify officers/staff, however PIPs should still be complied with. Measures such as securing clothing or taking swab samples to forensically identify officers/staff involved will normally only be adopted in exceptional circumstances. The seizure of personal clothing and/or equipment

(such as those not owned by the force or organisation) will be subject to the agreement of the relevant KPW.

When an investigating officer considers it necessary to obtain additional forensic evidence from officers/staff, the PIM will record the rationale and discuss it with the IIO. If the IIO requires additional forensic evidence, the PIM will explain the rationale to the officers/staff concerned and make a record in their policy log. If clothing is to be taken, suitable alternative clothing must be provided.

## Use of force reporting (where force is used)

Where there is a requirement to report the use of force, the PIM will ensure that this requirement, and any associated force policy, is complied with. Completion of this task by a person who has not been directly involved in the incident, or the use of force, will avoid unnecessary complication in relation to the provision of accounts by a KPW (see [providing accounts](#)). It will also ensure that completion of the report appropriately reflects any considerations with regard to protecting identities (see [protecting the identity of officers and staff](#)).

## Welfare considerations

The welfare needs of officers/staff should be addressed throughout PIPs. These needs include:

- first aid and other medical assistance
- securing equipment
- access to legal, federation, staff association or union advice
- providing refreshments
- toilet access
- making phone calls to immediate family members or partners regarding officers'/staff wellbeing and possible retention on duty
- showering and appropriate change of clothes (giving due regard to any forensic matters to be addressed)
- keeping officers/staff updated around developments and how long they may be asked to remain on duty

## Legal advice and support

KPWs should be supported during the PIP by the PIM, and given the opportunity to consult representatives of their staff association or union, as soon as practicable. Every effort should be made to ensure that early professional legal advice is made available in appropriate cases. This is particularly important where officers/staff have used force, as they may be subject to an investigation which can potentially identify conduct and/or criminal offences.

Where a police officer/staff member is not a member of either the police federation, staff association or union, there is no obligation on those bodies, or the force to which the officer/member of staff belongs, to provide legal advice. Unless an individual is a member of their respective staff association or union, they will not be entitled to legal advice unless they have made alternative arrangements.

A police officer or member of police staff who is suspected of a criminal offence or conduct matter should not be part of a PIP. In this instance, long-term support should be provided by their supervisors or line manager, where appropriate.

## Medical examination

A registered medical practitioner should examine officers and staff, where appropriate and subject to their consent, as they may have suffered an injury of which they are not aware. All officers/staff should check for injuries to themselves and their colleagues.

Where a registered medical practitioner is called to examine an officer/staff member, they should be provided with sufficient information to enable them to carry out an appropriate examination. Where there is a requirement to provide any other information which may be relevant to the examination, issues regarding protection of identity and the provision of accounts should be considered. (See [protecting the identity of officers and staff](#).)

The most appropriate supervisor to brief the registered medical practitioner may be the PIM or a member of their team. This briefing should be documented.

## Welfare support

A DSI may affect those involved differently. It is not possible to say who may be affected and to what extent. Those affected, however, may include people at the scene and those who were directing resources (including control room staff and those making critical decisions). Officers and

staff who are not directly involved or injured may also be or appear to be traumatised or in a state of shock.

All those involved in an incident, whether they are KPWs or not, should be able to receive support from the occupational health unit or a professional health adviser. If possible, this opportunity should be provided within 72 hours.

## Providing accounts

Where a DSI occurs, there will be a requirement for those involved to provide relevant information in a number of formats. This will vary depending on the recipient and the purpose of the information. The information provided may become more detailed as the accuracy of recall evolves.

For further information see:

- [IOPC Police Witness Policy](#)
- APP counter corruption

## Effects of trauma on perception and recall

A person involved in a traumatic or life-threatening encounter may experience a range of responses that could affect their perception, memory and recall of key events. These perceptual distortions may then affect the person's ability, immediately after the incident, to recall what happened accurately, including what may be regarded as important details. Officers or members of staff who subsequently recall further information should record this in an additional account.

Providing information and accounts chronologically is a staged process. Particular circumstances of the incident may make it unnecessary or inappropriate to include all the stages outlined. Where a KPW is suspected of a criminal offence or conduct matter, stages three or four may not apply. They will no longer be treated as a witness and should be removed from the PIP. Where a KPW is unfit to make a personal initial account, stage three will not be appropriate.

None of the guidance below is intended to prevent officers/staff relaying operational and safety-critical information to others involved in the ongoing management of the incident or operation.

### Stage one – situation report

Where a DSI occurs, the FDO and/or force control room must be informed as soon as practicable. This notification may be provided by radio or telephone communication (for example, from an officer or member of staff at the scene of the incident). The information provided should be sufficient to provide a situational report that will enable the FDO to manage the ongoing incident, to assist them with discharging their post-incident responsibilities and to inform the IIA about the incident.

## **Stage two – PIM basic facts**

The PIM is responsible for establishing the basic facts of what has happened. Where possible, this information should come from a source other than the KPW(s) directly involved in the DSI (see [initial PIM responsibilities](#)). The basic facts are most likely to be provided at the nominated post-incident location by an individual willing to supply them. The basic facts will be provided (subject to legal advice where appropriate) in verbal or written format. A staff association or trade union representative may also be present. It may be appropriate for the PIM to advise all those present of the need to protect the identity of those involved by using anonymous references or pseudonyms. The basic facts obtained by the PIM should, where possible, be sufficient to:

- confirm which officers/staff were at the scene or involved in the incident
- describe in brief the role(s) of those at the scene or involved in the incident
- confirm, where relevant, who used force

The PIM should confirm the basic facts they record, with the person providing them, for accuracy. On completion, the record should be time-stamped, dated and signed by both the person providing the facts and the PIM. The PIM should hand the original record to the IIA at the earliest opportunity, and both the PIM and the person providing the basic facts should each retain a copy.

Where the only person able to provide the basic facts has been, or may be, identified as a KPW, the PIM should:

- offer them the opportunity to take legal advice or consult a federation/staff association or trade union representative before obtaining the information
- be aware of the need to take only basic information
- record, date and time all information provided

If this is the first account that the KPW has given, it will be disclosable in court and any differences between this and the KPW's later account may be challenged.

In obtaining this account, the PIM should be mindful that the recall of witnesses can be affected by hearing the accounts of others and should ensure that this potential is avoided.

### **Stage three – personal initial account**

Subject to legal and medical advice, KPWs should provide a personal initial account of the incident before going off duty.

The personal initial account should consist only of the officer/staff member's individual recollection of events. KPWs should independently record what they honestly perceived, for example what they think that they saw, heard and did. Where appropriate (for example, where there is an inexperienced member of staff) the KPW may be provided with some support in recording this account. Care should be taken to ensure that this support does not influence the record. The arrangements for the provision of personal initial accounts should be agreed with the IIA, and the process managed by the appointed officer.

The purpose of the personal initial account is to record the witness' role and what they believe to be the essential facts. It should outline the honestly held belief of the circumstances, including their use of force if force was used. Detailed accounts will be made later.

A personal initial account is disclosable in any subsequent legal, conduct or coronial proceedings. It should therefore be recorded on a formal document (for example, MG11 or equivalent), headed with the appropriate statutory declaration in accordance with section 9 of the Criminal Justice Act 1967 and Part 16 of the Criminal Procedure Rules 2015. While it is acknowledged that an individual's account may later change (see [Effects of trauma on perception and recall](#)), the personal initial account must be true, to the best of their knowledge at that time, and include their honestly held belief of the circumstances at that time.

As far as possible, personal initial accounts should include:

- their identity (or pseudonym if appropriate)
- their understanding of the nature of the operation or incident
- their role in the operation
- where relevant, essential details of their recollection of force being used (for example, the nature of the force used and what the subject was doing at the time the force was used)



- their honestly held belief that resulted in their use of force, if the officer or member of staff used force

Each personal initial account should be written (or typed), signed and dated. Where a pseudonym has been provided this should be used. The same guidance relating to conferring applies to personal accounts and detailed accounts.

## **Stage four – detailed accounts, statements and interviews**

Detailed accounts are not normally obtained immediately. They can be left until the KPWs involved in the incident are better able to articulate their experience in a clear and detailed format. This is usually after at least 48 hours, but may be earlier for those KPWs not adversely affected by the incident.

The detailed account is also disclosable in any subsequent legal, conduct or coronial proceedings and should therefore be recorded on a formal document (for example, MG11 or equivalent), headed with the appropriate statutory declaration in accordance with section 9 of the Criminal Justice Act 1967 and Part 16 of the Criminal Procedure Rules 2015.

The detailed account should include the witness' full recollection of the incident, including the matters set out under personal initial accounts.

### **Statements**

The IIA may wish to have detailed statements from witnesses. These statements may be taken by the IIA or be provided by the witnesses themselves. Individual witnesses, subject to the legal advice they receive, will decide how the statements are obtained or provided. Where officers/staff decide to provide their own statements, these should be submitted to the IIA within seven days of the incident (except in exceptional circumstances).

### **Interviews**

The police service should be guided by the Code of Ethics and standards of professional behaviour, which operate on the basis of openness and transparency. This is essential to maintaining and enhancing a positive relationship between the police and the public.

Under the Police (Complaints and Conduct) Regulations 2013, the IOPC has a power to compel police witnesses to attend an interview. Where this power is invoked and the police witness is unable to attend an interview on the date requested, the witness must propose a reasonable date and time within five working days of the date specified by the investigator.

Police witnesses may be accompanied during the interview (for example, by a legal adviser, staff association, federation or trade union representative) and cannot be compelled to answer questions. How a police witness provides their detailed account will be subject to the legal advice they receive, but it will ultimately be for the police witness to decide.

## Reference material

Reference material may include:

- BWV footage
- incident logs
- notes taken at the scene or during the incident
- command logs
- recording of communications

Any available reference material, documentation and BWV footage, which may be relevant to a DSI following police contact, will be essential to the subsequent investigation, and should be secured and managed appropriately.

The PIM has responsibility for determining whether an officer/staff member may refer to an item of reference material when providing their accounts and should make these decisions in consultation with the IIA and IIO/PSD.

There may be circumstances where there is a difference between what has been captured in reference material and what the officer/staff member has recalled and reported in their personal initial account. The difference may be understandable and may be explained in the detailed account, after they have viewed the relevant reference material.

There is no legal restriction on a KPW viewing their own BWV footage prior to making their personal initial account. The potential impact on the individual's perception and recollection of events, however, makes viewing such footage inadvisable prior to completing the personal initial account.

It may be appropriate for a KPW to view or listen to other types of reference material, such as log information, contemporaneous audio or written notes, before providing a personal initial account. Such material may have captured information that helps them accurately recall relevant and essential information. This should be agreed by the PIM in consultation with the IIA and IIO/PSD.

As a matter of general practice, a KPW to a DSI should generally be permitted to view their own BWV footage prior to completing their detailed account, as this may reveal differences between what they initially recalled and reported, and what was recorded by the BWV. In such a situation, they may then be able explain any discrepancy identified in their detailed account.

There may be circumstances where it is appropriate for one KPW to view another person's BWV footage, for example where two officers/members of staff were acting in close proximity and one BWV did not record.

## **An early requirement for information**

There may be circumstances where it is critical, for operational or safety reasons, for officers/staff to provide more detailed information of events that took place at an earlier stage. This could be to address issues associated with a person who is now in custody or in relation to an ongoing criminal investigation, for example where a person was not arrested at the scene.

Each individual police officer and member of staff involved in the incident is responsible for ensuring that any information relevant to the investigation is reported, recorded and retained. This information should include each individual's observations relating to the incident and any accounts received from witnesses. Once those involved have been able to make their initial accounts, the PIM will make arrangements to secure these accounts and make them available to the investigative authority.

## **Separating KPWs**

As soon as it is known that a DSI following police contact has occurred, the FDO should consider and decide whether KPWs should be separated to prevent conferring; where practicable, this should be done in consultation with the PIM. The PIM or responsible chief officer will review and may override any decision to separate KPWs, or may decide to separate them at a later stage, as appropriate.

Officers/staff need not be separated as a matter of routine. The decision on whether or not to separate KPWs should be based on the consideration of three separate questions in turn.

### **1. Is separation safe?**

Officers/staff should never be separated unless, and until, it is operationally safe to do.

### **2. Is separation necessary?**

The FDO may consider that separation is necessary to prevent conferring where there are reasonable grounds to suspect that either:

- a KPW has committed a criminal offence
- a KPW has committed misconduct

or:

- this guidance is not being complied with and officers/staff may confer inappropriately

Where there are no such reasonable grounds and where there are sufficient control measures in place to prevent inappropriate conferring (such as the presence of an appointed officer or representative of the IIO or IIA), separation is unlikely to be necessary.

### **3. Is separation practical?**

If it is operationally safe to separate officers/staff, and if the FDO decides that it is necessary, they must consider whether it is practical to do so, based on:

- the location of the incident
- the number of officers/staff who might need to be separated
- the resources available to achieve separation

## **The decision-making hierarchy**

Safety must be the foremost consideration. Where separation is safe, necessity should then be considered. If both safe and necessary, separation may occur only where it is practical in the operational circumstances. For example, if separating officers/staff is practical but not necessary, it is not required. Separation should never occur when it is not safe under the circumstances.

## **Record keeping**

The rationale for any decision to separate or not to separate KPWs should be recorded, together with the measures put in place to prevent conferring.

## Integrity

The [Code of Ethics](#) states that accountability, honesty, integrity and openness are key policing principles. Paragraph 4.4 states: 'You will have to account for any use of force, in other words justify it based upon your honestly held belief at the time that you used the force'. The Police Staff Council Standards of Professional Behaviour describes similar standards applicable to police staff.

Police officers and staff should ensure that all activity is transparent and capable of withstanding scrutiny. Where an officer or member of staff has concerns that the integrity of the process is not being maintained, they must immediately address the person in charge of the post-incident process and ensure their concerns are documented. Officers and staff are entitled to legal advice and support. Such legal advice is, however, unlikely to be provided by their force or organisation and is usually provided via police federation, staff association or trade union membership.

Officers/staff involved in the incident should avoid discussing the details with officers and staff not involved in the incident, unless there is an operational imperative to do so. This is to prevent rumours and to protect the identity of those involved.

For further information, see [The College of Policing \(2014\) Code of Ethics](#). This is the code of practice for the principles and standards of professional behaviour for the policing profession of England and Wales.

## Supervision by an appointed officer

A chief officer is ultimately responsible for initiating and managing the PIP. The chief officer should appoint an officer to supervise gathering KPWs' evidence; they must ensure the guidance on conferring has been complied with before their accounts are recorded.

The appointed officer should, where practicable, be of substantive inspector rank (or equivalent) and be an accredited PIM. They must be appointed in addition to the PIM and must not have held an operational or investigatory role in the original incident. Their responsibility for ensuring compliance with guidance begins when the KPWs arrive at the post-incident suite. Responsibilities include supervising KPWs while they make personal initial accounts and detailed accounts (unless

such accounts are provided during an interview or are recorded).

The appointed officer must record their observations and actions in full. The following support may be appropriate:

- establishing who the KPWs are
- ensuring access to legal representation/staff association/trade union or force legal services, where necessary or requested
- reinforcing the guidance on conferring, to all KPWs
- preventing any inappropriate conferring
- ensuring that any reference material used by officers/staff is secured and handed to investigators against a receipt/exhibit number
- documenting the process by which accounts are provided (including interruptions, breaks, abstractions and any conferring)
- ensuring that all accounts are time-stamped by those making them, as soon as practicable after completion

## **Supervision by the IIA**

Where the IIA requests access to the post-incident suite, it should be provided. This access should be managed by the PIM, but access will not be extended to medical examinations or private consultation with legal or staff association/trade union representatives. KPWs should be appropriately consulted, in the early stages of the PIP, regarding any meeting being considered between them and the IIA.

## **Security and welfare of officers and staff**

The PIM will initiate an early threat assessment to determine whether there are any security issues that may affect any police officers or staff involved in the incident. This will allow the PIM to recommend that the force puts the appropriate control measures in place to ensure the safety of the officer(s) and staff and, where necessary, their families. An ongoing threat assessment process will continue until it is no longer required.

By their very nature, incidents resulting in a DSI, following contact with the police, attract public interest and can be highly emotive and stressful for all involved. As a consequence, the investigative function and the chief officer's duty of care to officers and police staff involved must be

high priority. This also extends to [welfare](#), including physical, psychological and medical support. Additionally, police staff associations and trade unions have arrangements for providing advice, support and legal advice to their members.

In facilitating these services, investigating officers, PIMs, and staff association and trade union representatives have distinct roles, which include demonstrating integrity in all communications between each other, and in record making, debrief procedures and processes.

## Key police witness' families and homes

The relevant force(s) should consider whether it is appropriate to contact the families of the KPWs involved and, if so, this should be done in consultation with the KPW. The families of KPWs may require extended welfare, medical and professional support from force occupational health and welfare advisers. Where contact is made by a force, it will alert families to the possible reactions of those involved in such incidents and give them the opportunity to discuss the situation.

It is important to consider the security of a KPW's home at an early stage. The cost of any appropriate measures should be met by the witness' force. Forces should have a policy on providing security and protecting the identity of KPWs in appropriate cases.

## Family liaison

In any incident where a person(s), other than a police officer or member of police staff, has died or been seriously injured following police contact, consider using family liaison officers. Depending on the circumstances, this will often be the IIA's responsibility.

For further information, see APP on [family liaison](#).

## Defusing

Defusing is a short and informal welfare-focused process designed to give immediate support to staff. Where practicable, this should be facilitated by trained staff and should take place as soon as possible after the event and, in any case, prior to concluding duty. Where appropriate, occupational health support should be considered. The defusing process may help officers and staff recognise and manage the reactions and emotions they are experiencing, or may experience, as a result of what they have been involved in. Care should be taken to ensure that matters directly relevant to

the incident are not discussed, to prevent contamination of any subsequent accounts.

## Early support

Consideration should be given to having a suitable person (for example, a trusted colleague, not otherwise involved in the incident) assigned to stay with an officer or member of staff who has, or appears to have, been traumatised or significantly affected during the hours immediately following the incident. In appropriate cases, this person should subsequently accompany the person home.

## Special leave or suspension from duty

Special or administrative leave may be granted to a KPW when appropriate. There may, however, be circumstances where such leave is not in their best interests. The individual, and their staff association or trade union, should be consulted.

Suspension from duty should not be routine. When it is necessary to suspend a KPW, this should be done in accordance with force policy. They should still be able to contact colleagues in the police service, provided this will not compromise any subsequent investigation or the circumstances are such that this may not be appropriate. The decision regarding suspension should be reviewed following formal updates on the progress of the investigation every 28 days or 'by exception' following any significant changes. Officers and staff under suspension should continue to receive appropriate medical and welfare support.

## Authorisation

An individual's authorisation to perform a particular role or task should not automatically be removed because of their involvement in an incident, nor should they be automatically excluded from training or other related duties.

The force should make an evidence-based assessment in consultation with the IIA, the force PSD and the occupational health advice provider, as to when officers/staff should be permitted to resume their duties.

A chief officer should regularly review, in consultation with the IIA, any decision to restrict or remove a KPW from their core role.



# Debriefing

## Safety critical debriefing

When a DSI has occurred, an early debrief should be considered where potentially time-critical safety issues have been identified. Where such a debrief is being considered prior to the provision of KPW accounts, the IIA should be consulted. Prior to officers/staff finishing duty, the senior supervisory officer should also consider if there are any outstanding issues that need to be addressed.

Large or protracted operations should include arrangements for a specific debriefing session, to learn lessons and identify promising practices or areas for development related to, for example, command structure and processes, tactics and/or equipment used. All debriefs should be documented.

## Organisational learning debrief

It may be appropriate to undertake an organisational learning debrief, where the criteria for post-incident investigation have been met and an independent investigation has commenced.

Organisational learning debriefs provide an opportunity to identify potential safety-related improvements. Forces should use the information collated in organisational debriefs to inform a wider analysis of patterns and trends, so that they can regularly challenge and improve methods and procedures.

Where conducted in the context of a post-incident investigation, careful facilitation and identified terms of reference are required to ensure that the matters discussed do not compromise the ongoing investigation.

Such a debrief should only take place after providing detailed accounts or evidential statements to the IIA; and where there is an indication that, having considered available evidence, there is no suggestion of criminal action or misconduct on the part of anyone attending the debrief. Where such criminal acts or misconduct have been identified, this should be taken into account in determining whether a debrief is appropriate. Legal advice should be obtained as appropriate.

The IIA and, where required, the police senior investigating officer for the crime investigation relating to the original incident, should be informed that an organisational learning debrief is being considered and they should be provided with the terms of reference. Any observations or objections should be documented for consideration when a decision is made on whether such a debrief is appropriate under the circumstances.

## **Is an organisational learning debrief appropriate?**

Although any decision to undertake an organisational learning debrief while an independent investigation is ongoing will be based on the facts, in general terms, the most likely areas for consideration will be:

- safety
- asset allocation
- supervision arrangements (where appropriate)
- policing response to the incident

It is not appropriate to address the specific actions of individuals, evidential issues relating to witness accounts or scene, and post-incident management during such a debrief.

The decision relating to conducting an organisational learning debrief should be taken by an individual who did not perform an operational or command role in the incident being debriefed. This decision and its supporting rationale should be recorded.

## **Who should conduct an organisational learning debrief?**

The individual(s) tasked with facilitating the debrief should have an appropriate knowledge of local and national guidance relevant to the incident, and should be an accredited PIM who did not perform an operational or command role in said incident. Where this cannot be achieved, a trained debriefer supported by a PIM should be used.

## **Record keeping**

A record of those attending the debrief and a suitable summary of the discussions should be maintained. This summary should include areas of possible good practice and areas for development, which will support the organisational learning and improvement. If officers/staff have

had their identity protected, the debriefing process should not undermine this.

## Documentation and disclosure

All original documents and statements generated as a result of an incident must be handed to the force PSD or IIA at the earliest opportunity (see [reference material](#)). All material obtained in the course of an investigation that may be relevant to the investigation must be retained for disclosure purposes.

## Media releases

Subject to any operational reasons, a cooperative and open-media strategy should be formulated in consultation with the IIA. A clear factual account of the incident should be provided at the earliest opportunity and great care must be taken to avoid compromising any subsequent judicial proceedings. Any media strategy should be formulated in accordance with existing protocols with the relevant IIA (for example, [media protocol between NPCC and the IOPC](#)).

It may be appropriate to share information publicly, prior to a decision being taken by the IIA regarding the requirement for an independent investigation. Such a media release may include:

- 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 or an IOPC investigation
- factually correct information about, for example, why police were in the area or the numbers of police in the area
- commentary on any parallel criminal investigation by the police
- other matters affecting local people or the wider public interest

Once an investigation has been designated as directed or independent, the IIA will take the media lead in relation to its investigation. For further information see [Communication](#).

In circumstances where a provoked shooting has occurred, the detail and content of information released to the media should be carefully considered. See [Suicide and bereavement response – Reporting self-harm and suicide in the media](#).

Precautions should be taken to protect the officers/staff and their families from unwanted publicity. The chief officer (or delegated senior officer) must ensure, via the PIM, that where practicable, the KPWs and their representatives are informed of all media releases prior to their circulation, and are available to make representations on their behalf. This may prompt officers/staff to consider their families and others likely to be affected by a media release and allow them to make early arrangements to cater for any foreseeable problems.

The safety and welfare of officers/staff and, where appropriate, any information that might unintentionally identify officers/staff concerned with the incident, should not be passed to the media. Preserve the protection of identities where appropriate and exercise sensitivity in completing internal force publications or reports concerning the incident. Care must be taken when using communications systems, including mobile phones.

For further information, see [Communication](#).

## Progress of the investigation

The [Police Reform Act 2002](#) (England and Wales) defines 'interested persons' and requires that all interested persons should be kept informed of the progress of the investigation. Where the investigation is being undertaken by the IIA, this will be their responsibility.

Forces should put procedures in place to ensure that regular updates are provided. The host force should consider providing an ongoing PIM or force liaison officer (either full or part-time) to facilitate this.

While KPWs cannot be 'interested parties', as defined within the Police Reform Act 2002, the act allows (subsection 3) 'the Commission and the police also to treat as interested persons other people whom they consider have an interest in the handling of a complaint or recordable conduct matter and who have consented to being kept informed'.

Procedures for providing updates should be agreed and documented, and may include a meeting with officers/staff involved in an incident as soon as practical after it has occurred. In any event, officers/staff and their representatives should be provided with terms of reference of the investigation within 48 hours. They should be updated on the progress of the investigation every 28 days or 'by exception', following any significant changes.

It will be normal for the IIA to brief the force concerned on the status of the investigation, usually no later than 28 days after the incident.

## Post-incident responsibilities

The following is a summary of some of the post-incident roles and responsibilities referred to above.

### The incident supervisor (where relevant)

- remains operationally active until stood down
- reminds officers/staff of the guidance in respect of conferring, where practicable
- ensures that the scene is protected and that evidence is preserved until the IIO arrives
- liaises with the IIO and, where necessary, with the crime scene investigator

### The FDO

- remains operationally active until stood down
- reminds officers/staff of the guidance in respect of conferring, where practicable
- ensures that the scene is protected and that evidence is preserved until the IIO arrives
- considers the safety of the public and police personnel and the immediate welfare of casualties
- considers which officers/staff are to be treated as KPWs (in conjunction with the chief officer or delegated senior officer, IIO and PIM)
- considers whether KPWs need to be separated
- ensures the transfer of officers/staff to the post-incident location
- establishes the facts of what has taken place and ensures all relevant information is recorded
- informs the force chief officer (or delegated senior officer) of the incident
- determines the rendezvous point for incoming resources
- briefs and formally hands over to the IIO
- briefs the force chief officer (or delegated senior officer)
- ensures that KPW(s) staff associations/trade unions have been notified by the PIM

### The chief officer (or delegated senior officer)

- has overall responsibility for post-incident procedures (PIPs)
- initiates the post-incident investigation (including informing the IIA)

- ensures that the investigation and welfare procedures are implemented
- appoints a PIM
- appoints an IIO
- assigns the appointed officer
- ensures that the KPWs are identified (in conjunction with the PIM, IIO, FDO and IIA)
- considers referral to the IIA
- subject to referral to the IIA, agrees the media strategy
- ensures, via the PIM, that where practical the KPWs and their representatives are informed of all media releases prior to their circulation
- ensures that all relevant information is recorded

## The IIO

- has early dialogue with the IIA to agree responsibilities and key actions
- opens a policy log and ensures all relevant information and decisions are recorded, including issues related to protecting identity
- agrees initial terms of reference with the chief officer or delegated senior officer
- identifies and preserves evidence
- ensures effective scene management
- considers which officers/staff are to be treated as KPWs (in conjunction with the chief officer or delegated senior officer, PIM, FDO and IIA)
- identifies and considers relevant national guidelines
- liaises with the FDO on initial action at the scene
- liaises with chief officers on media policy
- liaises with and consults the PIM
- makes early contact with the appointed investigator from the IIA
- carries out those enquiries deemed urgent and those that may assist in collating evidence which may be lost prior to the arrival of the investigator from the IIA
- agrees initial objectives in relation to forensic evidence
- makes early contact with the pathologist, where appropriate
- liaises with the scientific support coordinator

## The PIM

- opens a policy log and ensures all relevant information and decisions are recorded, including issues relating to protection of identity
- considers which officers/staff are to be treated as KPWs (in conjunction with the chief officer or delegated senior officer, IIO, FDO and IIA)
- establishes immediate contact with the KPWs and ensures that they are given immediate support
- reminds KPWs of their responsibilities regarding the discussion of the incident with colleagues (see [conferring](#))
- considers whether to assign a member of the PIM team to each KPW
- advises all relevant members of staff that PIPs have been implemented and explains the PIM role
- meets the IIO or any representative from the IIA
- takes measures to ensure the physical and emotional wellbeing of the staff involved
- considers the attendance of a doctor or health adviser
- ensures access to telephones to enable officers/staff to contact relatives or friends
- informs relevant departments and agencies of the need to attend, for example, the occupational health unit, doctor or forensic medical examiner and staff associations/trade union, as appropriate
- ensures that any necessary forensic procedures are dealt with as early as possible and that officers/staff are fully informed of the relevance of the procedures (for example, seizing exhibits)
- facilitates the process in which police officers and staff provide initial accounts and ensures these (where made) are provided to the investigator
- secures early legal advice or representation if requested by a represented KPW
- decides whether a KPW may refer to an item of reference material when providing their accounts (this decision should be made in consultation with the IIA)
- maintains dialogue with the IIO and addresses issues with them, including press releases and the progress of the investigation, to update staff involved

## The appointed officer

The appointed officer must fully record their observations and actions. The following support to the PIM may be appropriate:

- establishing who the KPWs are
- ensuring access to legal representation/staff association/trade union or force legal services where necessary or requested
- reinforcing the guidance on conferring to all KPWs

- preventing any inappropriate conferring (and review the decision to separate where appropriate)
- ensuring that any reference material used by the officers/staff is secured and handed to investigators against a receipt/exhibit number
- documenting the process by which accounts are provided (including interruptions, breaks, abstractions and any conferring)
- ensuring that all accounts are time-stamped by those making them, as soon as practicable after completion

## Tags

Death or serious injury