

Part 3:

A guide for force duty officers (those with direct responsibility for the force control room, and has force command and control responsibility)

FDOs should have read **parts 1** and **2** of this guide to gain an understanding of the procedure and the associated roles and responsibilities.

Your role in a PIP is pivotal to achieving an effective procedure. The PIM is also trained and accredited for their role and will be able to provide you with advice where necessary. Depending on the nature and scale of the DSI incident, you may have to dedicate your time to discharging your responsibilities and will therefore need support in terms of your core duties.

Do I have any specific responsibilities?

Your specific responsibilities listed in the APP are:

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.

Further information in respect of these responsibilities is provided within this guidance.

What are the 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 IIA). Where a DSI occurs but the person was not in police custody at the time, and there is no indication that contact with the police has caused or contributed to the DSI, it may not be necessary to refer the incident to the IIA. In these circumstances the IIA should be consulted.



Incidents which have revealed failings in operational command or supervision, or have caused danger to officers, staff or the public should be referred to the IIA as a voluntary referral. If the above criteria are not met, the force should still consider the proportionate application of these procedures, where appropriate.

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 practicable. Further information given to the investigative authority should include the action taken and arrangements made for them to commence a post-incident investigation. It is for the IIA to determine the nature of the investigation and the extent of their involvement.

A referral to the IOPC, and a subsequent investigation, does not necessarily mean that a PIP is required.

Will I be informed of the incident?

Where a DSI occurs, you must be informed as soon as practicable. This notification may be provided by radio or telephone communication (eg, from an officer or member of staff at the scene of the incident). The information provided should be sufficient to provide you with a situational report that will enable you to manage the ongoing incident, discharge your post-incident responsibilities and inform the IIA about the incident.

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.

How do I assess 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, clothing, CED (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, might 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.



You should brief the nominated chief officer, or delegated senior officer, who is responsible for the decision whether or not to implement a PIP, and who will be responsible for the overall procedure.

What should my initial actions be?

Following a DSI, you should initially establish what has taken place (including the extent of any casualties). You should also establish:

- 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 appropriate post-incident procedure been implemented?

- Have key police witnesses (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?

Your responsibilities remain until you are relieved of them or the incident is brought to a conclusion.

The initial action taken by you 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.

When will the investigators arrive?

Where there is a delay in the arrival of an IIA or PSD investigator, you should decide how, and by whom, the scene should be managed and investigations commenced (for instance by appointing an IIO). You should speak to the IOPC by telephone as early as possible and seek direction regarding their investigation.



You will have a number of priorities to consider pending the IIA's arrival. Those will usually be:

- meeting any first aid and medical needs
- establishing the circumstances of the incident (see **provision of accounts**)
- managing and protecting the scene in order to maintain 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 **Considerations for the anonymity 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 which is taken to prevent loss, deterioration or harm should be documented along with the justification for taking that action.

Considering separation

You should consider (in consultation with the PIM where practicable) whether officers/staff who are potential KPWs should be separated. The guidance related to separating officers and staff is explained below.

Appointing a scene manager

Appointing a scene manager should be a priority for you. 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.

Recording 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.



Appointing an IIO

You should consider appointing an IIO to manage the investigation until the arrival of the IOPC or PSD. 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.

Informing a PIM following an incident

The nominated chief officer or delegated senior officer should nominate a PIM. You are likely to have a PIM rota that will enable you to identify and inform the on-duty or on-call PIM of the incident.

Separating KPWs

As soon as it is known that a DSI following police contact has occurred, or is likely to, you 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?

You 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 a disciplinary offence

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 you decide that it is, you 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 for separation

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.

