

Post Incident Procedures following DSI

Silver Commander awareness

Chief Inspector 3774 Anthony Williams

TFC, Post Incident Manager and Appointed
Officer

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DSI – Death or Serious Injury

- At or before the time of the DSI
- Direct or indirect contact with police
- Indication – contact MAY have directly or indirectly
- Caused OR contributed to the DSI
- Fracture, deep cut, laceration, damage to internal organ or impairment of any bodily function.
- May not involve a use of force
- Chief Officer obligations – obtain and preserve evidence
- Force has Statutory Duty to refer



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Article 2 ECHR and the duty to investigate

- Imposes a duty on the state to investigate – persons subject of DSI (UOF)
- Be on state's own initiative
- Independent, constitutionally and in practice
- Adequate and determine whether force used was justified, leading to the identification and accountability of those responsible
- Prompt
- Allow for sufficient public scrutiny to ensure accountability
- Next of Kin
- Purpose of an Article 2 investigation
 - a) Effective implementation of domestic laws
 - b) Ensure accountability for the death occurring when under the responsibility of the state
- PSD or IOPC will investigate (IIO or IIA)
- IIA notified without delay - agree actions with police at early stage



Criteria for Post Incident Investigations

- Chief Officer or delegated senior officer with overall responsibility decides*
- DSI alone will not always meet criteria for a PIP
- Depends on the nature and severity of the incident
- Injury suffered is/is likely to be *life changing* for the injured person
- Injury suffered is/is likely to be *life threatening* for the injured person
- DSI requires/is likely to require the declaration of a critical incident
- Recent PIPs include a fatal RTC, DSI following a pursuit, DSI following restraint of a person and DSI following a negotiation

Assessing the necessity and/or scale of a PIP

- Nature of the scene – what actions are required to preserve it?
- Prompt evidential retrieval – BWV, Officer accounts, clothing, PPE
- Public confidence
- Staff welfare considerations
- Nature and extent of police involvement in the incident
- Decision to/not to implement sits with the Chief Officer, in consultation with IIA.
- *Information provided by FIM/Silver will influence this decision (**consult with on call PIM**).

Initial Actions following a DSI incident

- Force Incident Manager will be notified immediately
 - Silver Commander will be informed ASAP
 - Gold Commander/Chief Officer on call to be informed
 - *Considerations of FIM/Silver include:*
 - Any person injured, are they in receipt of medical attention? Extent of injury?
 - Is there an ongoing threat to life?
 - What resources are required?
 - How many scenes are being managed?
 - What action is needed to secure evidence?
 - Has a post – incident procedure been implemented?
 - Have KPW (Key police witnesses) been identified?
 - Has the conferring guidance been given? *
 - Have staff associations been notified? (e.g. Federation, GM, Unison)
 - Have PSD been notified?
 - Has the On – Call Post Incident Manager & Appointed officer been contacted?
 - If in **ANY** doubt regarding PIP contact the PIM who are on call 24/7 (TAC AD).
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- *Officers and staff should NOT confer before making their accounts (whether initial or detailed accounts.) KPW must recorded their own honestly held recollection of the circumstances. BWV must be kept on until staff arrive at the PIM suite. This must be relayed over the air and documented on the incident. It is again reinforced by the Appointed officer to the KPW at the designated PIM Suite – preferably on BWV.

KPW and Post Incident Management

- KPW – What does this mean?
- Direct evidence to the DSI or circumstances leading to it – Flexible definition – Not a suspect!!
- At scene and in contact with the deceased/injured person
- Immediately witnessed the incident
- Authorised, commanded or supervised police action
- Provided Tactical Advice
- No conferring about the incident (Advice and BWV)
- PIM suite location – nearest station/most suitable station
- Sufficient Rooms and welfare facilities
- KPW, PIM, Appointed Officer, Staff Associations, Legal representative, CSI,FMA, PSD, IOPC
- Process is managed by the on call PIM (supported by Appointed Officer) – Policy Log
- Welfare – first consideration
- First Aid/Medical Assistance
- Legal, Federation Union Advice
- Refreshments, Toilet, calls to family, shower, change of clothes, clear communication.
- Separation – Control Measures
- Anonymity
- Accounts – Stage 1 – 4
- Stage 1 – Sit rep
- Stage 2 – Basic Facts
- Stage 3 – Personal initial Account – individuals recollection of events
- Stage 4 – Detailed Account – At least 48 hours afterwards
- PIM's role continues throughout PSD/IOPC investigation – Court hearing.

- **Welfare of Officers & Staff**
- **Treated as KPW NOT suspects**
- **Officers dealt with fairly with compassion**
- **Begin PIM Log**
- **Engage with PSD/IOPC at an early stage**
- **Restrict incident**



- **Integrity of Investigation**
- **Transparent**
- **Secure Evidence**

Chief Inspector Tony Williams Mob: 07795620189

<https://www.app.college.police.uk/app-content/death-or-serious-injury/>.

<https://www.app.college.police.uk/app-content/armed-policing/post-deployment/>.