

Public Inquiry into the death of Jermaine Baker

Terms of Reference

Purpose

To investigate:

- a) who the deceased was;
- b) how, when, where and in what circumstances he came by his death; and
- c) the particulars (if any) required by the Births and Deaths Registration Act 1953 to be registered concerning the death; and
- d) to make any such recommendations as may be appropriate.

Scope

The inquiry's investigations will include:

1. Planning

- 1.1. What plans were made for the conduct of the Operation by the MPS, between 13 October 2015 and 11 December 2015;
- 1.2. What was the strategic plan;
- 1.3. What was the tactical plan;
- 1.4. Was the above planning reasonable, in particular having regard to the need to minimise to the greatest possible extent the risk to life;
- 1.5. In particular, was it reasonable to plan to permit the conspiracy to proceed to the point of arrest;
- 1.6. Were those responsible for the implementation of the Operation appropriately briefed.

2. Information

- 2.1. The information available to those who planned the operation and the accuracy, reliability, interpretation, evaluation, transmission and dissemination of such information;
- 2.2. In particular, what information, relevant to the pre-planned firearms operation on 11 December 2015, was known by those within the Metropolitan Police Service by 11 December 2015;
- 2.3. When was that information received and by whom;
- 2.4. How was the information evaluated;
- 2.5. When, to whom and in what form was that information transmitted and disseminated;
- 2.6. Was the above handling of information reasonable, in particular having regard to the need to minimise to the greatest possible extent the risk to life.

3. Implementation

- 3.1. What occurred on the 11 December 2015;
 - 3.2. What was done in respect of command and control, including tactical decisions made;
 - 3.3. What was done on the ground. In particular the actions of officers during the arrest phase
 - 3.4. The shooting, namely the circumstances in which the officer who fired the fatal shot came to discharge his weapon
 - 3.5. Was the command and control of the Operation conducted reasonably, in particular having regard to the need to minimise to the greatest possible extent the risk to life;
 - 3.6. Was the Operation conducted reasonably on the ground, in particular having regard to the need to minimise to the greatest possible extent the risk to life?;
 - 3.7. In particular, could the shooting (and hence the death) of Jermaine Baker have been avoided;
 - 3.8. In particular, was it reasonable to permit the conspiracy to proceed to the point of arrest.
4. After the shooting
 - 4.1. What occurred after the shooting, including assistance and medical treatment given to Jermaine Baker;
 - 4.2. Were the post incident procedures conducted appropriately.
5. Practice, Policies and Procedures
 - 5.1. Were the relevant firearms policies and procedures appropriate and were they appropriately applied;
 - 5.2. Training and competency of the deployed firearms officers and commanders.

Method

The inquiry will examine and review all documents as the inquiry Chair shall judge appropriate. The inquiry will receive such oral and written evidence as the inquiry Chair shall judge appropriate.

Reporting

The inquiry will report to the Home Secretary as soon as practicable. The report will make such recommendations as the Chair deems necessary to prevent future deaths.

