

> Statutory guidance to the police force on achieving best evidence in death and serious injury matters

Foreword

When a person dies or is seriously injured after contact with the police, it poses a challenge to public confidence in policing. It is essential that the facts surrounding such incidents are fully and independently investigated in order to preserve and even enhance public confidence.

This is a complex area because of the role, powers and public expectations of the police service. We look to the police to protect the public and tackle crime – and we expect them to utilise the powers needed to do so. In certain circumstances officers are empowered to use force, including lethal force to protect others or themselves from harm; to detain individuals against their will; or to drive vehicles outside of the normal rules which apply to other road users. It is also in the nature of policing that police officers will regularly come into contact with some of the most vulnerable members of society and their actions may influence what that person does next.

Sometimes deaths will occur because things have gone wrong or because, with hindsight, a different approach may have been preferable. In such circumstances, it is the role of the IOPC to identify where the police can learn from tragic mistakes and to provide the public with reassurance that the police are held to account for their actions, where the evidence deems it necessary.

Deaths or serious injuries during or after police contact can arise in many different circumstances and the principles in this guidance apply to all of them – not just the most obvious applications of lethal force. Our fundamental position remains that police officers and staff involved in such incidents will continue to be treated as witnesses, unless and until the available evidence requires otherwise.

This guidance aims to help the IOPC secure best evidence to inform our investigations, to promote public confidence in the integrity of the process and to protect the officers involved from accusations of collusion. It deals with the critical period immediately following a death or serious injury, when it is crucial that appropriate steps are taken to fully establish the facts surrounding the incident and to ensure that any opportunities to learn lessons are seized.