



Briefing note - Op Astrid

Date: 20th June 2017

To: SCO19 SLT

From: Supt. Chris Nelson

Topic: Current status of officer W80

Overview

This briefing note is intended to provide clarity on the following issues relating to Operation Astrid:-

1. up-to-date information regarding W80's mental and general health and impact on his Article 8 rights
2. impact of this case (and similar) on Firearms Officer retention and recruitment
3. the role of officer W80 in the event that his suspension is lifted.

Background

On 11th December 2015 SCO19 officers deployed as part of a MASTS team to arrest 6 subjects in the vicinity of Wood Green Crown Court. This was to thwart an attempt to break out two suspects on remand from lawful custody who were being transferred from Wormwood Scrubs to the court for sentencing.

During this armed interception and arrest, one suspect, Jermaine Baker was fatally shot by officer W80. Several members of the CTSFO Team attempted to save the life of Baker to no avail.

Five other members of this group were arrested, charged and subsequently convicted of conspiracy offences and possession of an imitation firearm with intent to commit an indictable offence, namely escape. In June 2016 these five were each sentenced to between 5.5 to 8 years in custody for these offences.

In June 2017 the CPS decided that no further action would be taken against officer W80 following the 18 month IPCC investigation for murder.

1. Mental and general health of W80 including impact on Article 8 rights

As detailed above W80 was arrested for murder on 17th December 2015 and therefore been subjected to an 18 month investigation by the IPCC. He has complied with strict bail conditions throughout this 18 month period restricting his movements considerably.

This investigation has had a serious impact on W80's mental and physical welfare as well as his Article 8 rights. It has also had a serious effect on the Article 8 rights of his long term partner and family as a result of the following bail conditions throughout this period:-

- Surrender of passport;
- Condition to reside at home address;

- Requirement to inform SLT and IPCC of any request to stay overnight elsewhere in the UK.

One of the main implications of these conditions was the inability of W80 and partner to travel to Australia in order to visit his grandmother who was dying and his mother who resides there. His grandmother has died since and this has had a particular detrimental effect on his welfare, both mentally and physically.

In terms of his current welfare, W80 is much more positive now with the recent CPS decision to NFA the murder investigation. He continues to attend counselling with OH advisors and has the support of a dedicated welfare officer. This is in complete contrast to the past 18 months in which he would breakdown on regular occasions due to the pressure of the ongoing investigation and separation from his workplace and therefore colleagues and friends.

2. Impact of this case on the recruitment and retention of firearms officers

The ongoing recruitment and retention of firearms officers as a result of this investigation has been closely monitored throughout the past 18 months. This is particularly in relation to SCO19 and Counter Terrorist Specialist Firearms Officers.

It is of note that many officers have highlighted their reluctance to continue in an operational role in the last 12-18 months of service as a result of the actions of the IPCC in this particular case. This is also reflected by families of these officers. There is an ongoing belief (highlighted during a meeting on Thursday) from firearms officers that they will not be treated fairly by the IPCC in the event of a shooting, particularly in relation to covert crime operations as in the Op Astrid case.

This has resulted in at least 4 CTSFOs relinquishing their firearms authority and therefore taking up a training role whilst one Tactical Firearms Commander declined to take up a TFC role on this basis, reflecting that those in a command role are under similar scrutiny, as highlighted in the Op Astrid case where the TFC encountered difficulties in retiring from the MPS which was subject to judicial review following challenge by the IPCC.

There is a focus by firearms officers, particularly CTSFOs, on any steps being taken to support W80 and also to review the powers of the IPCC along with this individual investigation. This is also compounded by an ongoing GBH investigation by the IPCC whereby a CTSFO has been charged and awaits Crown Court trial from an 'on duty' incident during a firearms operation.

3. The role of officer W80 in the event that his suspension is lifted

As the SLT Welfare Lead for W80 and Professional Standards Champion at SCO19 I have recently submitted a request for review of his status through Head of Professionalism with a proposal for the lifting of his suspension with the following restrictions:-

- ***No contact with the public;***
- ***Not to be involved in the evidential chain;***
- ***No access to firearms.***

These restrictions would allow for the officer to be placed in a variety of roles within SCO19 supporting CTSFO operations as back room staff but ensure that he would not be directly involved in the handling of firearms or operational deployments. It would also assist with his mental and physical welfare as a result of being able to work alongside his colleagues and friends therefore integrating him back to the workplace.

A role with the Specialist Firearms Support Team based at Leman Street has been identified which officer W80 would be able to carry out with his restrictions. This role would have responsibility for the following:-

- Management of technical support to CTSFO Operations
- Fleet management
- **Sensitive/Irrelevant** Dog support
- Development and resourcing of CTSFO kit & equipment
- Logistical support to specialist operations

None of these responsibilities would place the officer in a role with access to firearms, in contact with the public or within any evidential chain.

I have discussed this proposal with officer W80 prior to consideration of the lifting of his suspension and he is very keen to be employed within SCO19 SFST as detailed above. This would also provide a very positive message of support to operational CTSFOs in terms of the support to W80 and his family.

Supt. Chris Nelson
SCO19 Specialist Operations