

Case 6 Issue 38 – Roads policing		LEARNING THE LESSONS
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Officers involved in unauthorised pursuit and use of tactics

Pursuit involving officers in vehicles unsuitable for pursuits, executing tactical manoeuvres they were not trained to execute, raising issues about:

- *Communication with the control room*
- *Suitability of vehicles for carrying out pursuits*
- *Knowledge of the definition of a pursuit*
- *Authority to execute tactical manoeuvres*

This case is relevant to the following areas:



Overview of incident

At around midday, several plain clothed officers were working as part of an operation aimed at tackling drug use and supply in the local area. PS A (the officer in charge of the operation) and PC B were on foot. PC C was single crewed in an unmarked police vehicle and PC D was driving an unmarked police vehicle with PC E in the passenger seat.

All officers involved in the operation were communicating on an operation specific radio channel. This channel was not monitored by the force control room and the communications made by officers on this channel were not recorded.

PC C stated around 12.40pm he saw a man and woman from a group of known drug users get into a white vehicle. They were in an area PS A said was commonly known as an area where drug dealing occurred. The driver of the white vehicle was established as Mr F. PS A said he instructed PC C to stop the vehicle.

PC C said he suspected a drug deal was happening. He drove his unmarked police vehicle into a position to block the white vehicle to detain the occupants and conduct a search. He said he got out of his vehicle and shouted 'Stop'. The white vehicle wheel spinned, mounted the kerb and accelerated away. PC C said he thought it would have been obvious to Mr F he was a police officer.

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PC C said he got back into his vehicle. He picked up PC B who was nearby, before following the route taken by Mr F. He said he did this to find where Mr F had gone so he could tell other units who could help stop it. PC D said he heard on the radio Mr F had made off.

Soon after, he saw the white vehicle travelling towards and past him. He said he turned his vehicle around and followed the route it was taking. He said he did this to locate the white vehicle's whereabouts and update his colleagues. PC C was trained and authorised to conduct pursuits in the initial phase using marked police vehicles. PC D was not authorised or trained to take part in pursuits in any capacity. Neither unmarked vehicle was fitted with blue lights or sirens, and neither PC C or PC D was trained in techniques to conduct tactical contact or containment on subject vehicles.

PS A said he broadcast on his radio for a colleague to contact local officers on a different radio channel to seek help to stop the vehicle. PC G was an officer in the Roads Policing Unit (RPU) and said he heard details of the incident over his radio. He agreed to help find and stop the vehicle. He was joined by PC H and PC I. PC G was driving an unmarked police vehicle with blue lights, sirens and video recording equipment. He was trained in the use of Tactical Pursuit and Containment (TPAC), authorising him to take part in the initial and tactical phase of a pursuit and to undertake tactical measures to stop a subject vehicle. PC I was the operator in PC G's vehicle and used a radio channel which enabled him to speak directly to the control room.

PC C and PC D said they both followed the route taken by Mr F. They both arrived at a pedestrian crossing at the same time. The crossing displayed a red light. PC D said he saw Mr F turn left onto a different road about 150m in front of him. PC C crossed through the red light at the crossing. PC C said he made sure it was clear and sounded his horn to alert other users before passing through. PC C said it was at that point he saw Mr F turn left.

PC D and his passenger PC E confirmed to the IOPC that throughout the incident their radios were tuned into the operation specific radio channel. PC D said he focused on his driving and PC E said he focused on observing the subject vehicle. They never communicated with the control room at any point during the incident.

PC C also said he did not change his radio channel to speak to the control room. He said he did not do this because he would have had to stop and take off his kit and equipment to access his radio handset. He said he believed colleagues listening to the radio channel he was using would report what he was saying to the force control room.

PC G, PC H and PC I went to the area of the incident where they encountered Mr F. PC G had activated blue lights and sirens on his unmarked police vehicle. PC C said he moved aside to allow PC G to become the lead vehicle behind Mr F's vehicle. Mr F continued to drive. All the officers stated they felt it was clear he had no intention of stopping for the police.

Footage from PC G's vehicle showed he was between one and three seconds behind Mr F's vehicle throughout the pursuit. Mr F was driving at approximately 20mph. Both PC C and PC D's vehicles made ground so they were in close proximity to PC G's vehicle, which was directly behind Mr F's vehicle.

PC D said he did not believe he was involved in a pursuit, but also accepted he was unaware of the definition of a pursuit. PC C said he recognised when PC G's vehicle was behind Mr F's vehicle a police pursuit was occurring. However, he did not believe his continued presence meant he was actively involved in that pursuit.

OFFICIAL

Throughout his involvement, PC I sent radio messages to the control room in which he gave details of Mr F failing to stop and information about PC G's actions, training and authority. PC I also requested authority to continue to pursue Mr F's vehicle.

Inspector J was on-duty in the control room and was made aware of the pursuit. Despite being unaware he was a green permit holder, Inspector J authorised the pursuit to continue in the tactical phase due to the low speed of Mr F's vehicle.

Inspector J said he recognised PC G's vehicle as an RPU vehicle. He also saw a further two unmarked vehicles travelling behind it. He said it was only because he viewed the CCTV that he knew these other two cars were present. He said he had no information to tell him why these two vehicles were in such close proximity.

At around 12.45pm CCTV and footage from PC G's vehicle showed PC G attempted tactical contact and drove his vehicle into the right hand side of Mr F's vehicle. This forced Mr F's vehicle onto the pavement where it collided with a parking restriction post. PC G said he assessed that Mr F was approaching a built up area which increased the risk associated with the continued pursuit. He said he saw the nearside pavement was clear from pedestrians and there was no oncoming traffic. He therefore assessed it was safe to execute tactical contact.

During the contact PC C remained behind PC G's vehicle. PC D steered sharply to the left and mounted the pavement. PC D said he mounted the pavement to prevent Mr F's vehicle from reversing and to negate the risk to members of the public.

CCTV footage showed that after the tactical contact Mr F's vehicle was not stopped and he was able to re-join the road. Mr F subsequently travelled down the middle of the road, overtaking traffic before moving back onto the left hand side of the road. PC G updated the control room and said the risk was getting towards medium to high.

Following this, Mr F's vehicle went through a red light. It was followed by PC G and PC C in their respective vehicles. PC D stopped his vehicle at the red light, waiting for it to turn green before continuing. Mr F's vehicle progressed through a no entry sign and was followed by both PC G and PC C. PC G explained the road was clear and he believed it was safe for him to progress through the no entry junction with blue lights and sirens on. PC C explained he sounded his horn and slowed down as he progressed to make sure it was safe to proceed through the sign. He said he did not consider it an issue that other road users would not be able to identify his car as a police vehicle. PC D also travelled through the sign once the traffic light he had been waiting at changed to green. He did this about seven seconds after PC G and PC C and said the entry appeared clear.

Mr F's vehicle turned onto a busy main road. PC G was still directly behind Mr F and was directly followed by PC C. PC D's vehicle was approximately 130 metres behind. At one stage PC C undertook Mr F's vehicle on the left hand side and in doing so, became the lead vehicle in the pursuit. PC C drove into the left side of Mr F's vehicle which caused it to divert from its position in the road rightwards towards oncoming traffic in the opposite lane. PC C said he intentionally did this to try to get Mr F to stop and believed he had used lawful force in his attempt to stop the vehicle. It was only then PC C believed he became actively involved in the pursuit.

OFFICIAL

PC C acknowledged he was not trained in using his car to make contact with other vehicles to get them to stop. PC G said he did not believe this was a suitable place to conduct such a manoeuvre as he assessed the risk to be high.

The footage from PC G's vehicle showed that following the contact, Mr F's vehicle moved towards a vehicle on the opposite side of the road. This caused that vehicle to stop. Mr F managed to steer back onto the left hand side of the road and continue.

After this, PC G overtook PC C again and resumed his position as the lead vehicle. Soon after, Mr F turned off the busy main road he was on. A short distance along the new road, Mr F failed to give way to a vehicle and collided with it. It then collided with a further two parked vehicles. The police cars that had been following Mr F then converged on his vehicle. Officers arrested Mr F and the two other occupants of the vehicle.

Upon reviewing the CCTV footage, Inspector J said he became aware local force officers were also involved in the pursuit. He said he was confused why these officers were involved and never received any information to explain their involvement.

Inspector J also expressed his frustration that officers involved had attempted a 'boxing' manoeuvre and tactical contact. Inspector J said he was not aware of the incidents happening at the time.

The force conducted a parallel investigation into alleged drug offences against the occupants of the subject vehicle and driving offences against Mr F.

Type of investigation

IOPC independent investigation.

Other action taken by this police force

1. All standard response drivers attending training now receive training in unmarked response vehicles. However, standard response trained drivers are still prohibited from being involved in any stage of a pursuit in an unmarked vehicle in line with force policy and the National Pursuits Directory.

Outcomes for officers and staff

PC C

1. PC C was found to have a case to answer for gross misconduct in respect of the allegations he engaged in a pursuit while driving a vehicle which was not suitable for pursuits, made no attempt to seek authorisation to conduct a pursuit or communicate with the control room, used force against the subject vehicle despite not being trained in Tactical Pursuit and Containment (TPAC), and crossing a red light and no entry sign while engaged in an unauthorised pursuit. He attended a misconduct hearing and received a final written warning.

PC D

2. PC C was found to have a case to answer for gross misconduct in respect of the allegations he engaged in a pursuit while driving a vehicle which was not suitable for pursuits, made no attempt to seek authorisation to conduct a pursuit or communicate with the control room, mounted a pavement to box the subject vehicle in despite not being trained in Tactical Pursuit and Containment (TPAC), and crossing a no entry sign while engaged in an unauthorised pursuit. He attended a misconduct hearing where misconduct was proven and he received management advice.

Questions to consider

Questions for policy makers and managers

1. What steps has your force taken to make sure all officers authorised to drive police vehicles understand the definition of a pursuit?
2. How does your force make sure officers are aware of the limitations of their driving authorisation?
3. How does your force make sure officers communicate with the force control room when they are following subject vehicles?
4. How does your force make sure officers adhere correctly to traffic exemptions?
5. What steps does your force take to make sure officers are fully aware of whether or not they have authority to execute tactical manoeuvres such as 'boxing' or tactical contact?

Questions for police officers and police staff

6. What action would you have advised the officers not authorised to be involved in pursuits to take once the pursuit began?
7. What steps would you have taken to avoid becoming actively involved in the pursuit?
8. How would you have made sure someone made contact with the force control room to make them aware of your involvement?