

# LEARNING THE LESSONS

## ASK YOURSELF:

Could it happen here?

[www.ipcc.gov.uk/learning-the-lessons](http://www.ipcc.gov.uk/learning-the-lessons)

Learning the Lessons bulletins summarise investigations conducted by the Independent Police Complaints Commission (IPCC) or police forces where learning opportunities are identified. Police forces facing similar situations to those described can use the experience of other forces to improve their policies and practices. The bulletin challenges forces to ask, "Could it happen here?"

## Bulletin 31

December 2017

### General

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### Contacting us

Please email [learning@ipcc.gsi.gov.uk](mailto:learning@ipcc.gsi.gov.uk) with any queries or to join our mailing list.



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### Related reading



The Learning the Lessons pages on our website ([www.ipcc.gov.uk/learning-the-lessons](http://www.ipcc.gov.uk/learning-the-lessons)) contain links to a variety of research and other publications relating to the cases featured in this bulletin, as well as previously published bulletins, and copies of the more detailed learning reports which accompany each case.

# Case summaries

## 1 Request for assistance



The ambulance service asked officers to go to the address of a man believed to have severe breathing difficulties. He had called for emergency assistance before the line went quiet, leading to concerns that he may have suffered a cardiac arrest or lost consciousness.

The caller from the ambulance service explained that the ambulance crew required police attendance in case they encountered difficulty getting in to the property and needed assistance forcing entry. The ambulance crew were on their way, and the caller agreed to call back if officers were not required.

The police call handler decided the incident required an immediate response and graded it accordingly. Before transferring the incident to dispatch, she made a note on the incident log that a man might have collapsed, that paramedics were showing on the scene, and that if the ambulance crew were able to gain entry they would call back to let police know.

When the incident was transferred, the police dispatcher misinterpreted this final note as meaning that the ambulance service would call back if police assistance was necessary, rather than that they would call back to cancel their request if it was not. He therefore took the view that the call handler had mistakenly graded the incident as requiring an immediate police response and requested that the response level be reviewed by the dispatch team leader.

Based solely on the information verbally communicated to her by the dispatcher, the dispatch team leader authorised an incident response downgrade. The dispatcher then updated the incident log to say that an update from the ambulance service was awaited. Consequently, no officers were dispatched.

Approximately 50 minutes after the initial call, the ambulance service called again to query the police estimated time of arrival. They confirmed that they had been unable to get in to the property and needed police assistance. Officers were immediately deployed and arrived at the scene shortly after. They gained entry to the man's house but found him unresponsive. He was declared deceased shortly after.

### Key questions for policy makers/managers:

- Does your force have a clear memorandum of understanding (MOU) or joint protocol with other local emergency services, setting out your respective roles and responsibilities and the type of support you will provide in emergency situations?
- Where your force identifies recurring issues, possible training needs or policy gaps for another agency that is involved in responding to an emergency situation, how do you ensure that these issues are collated and brought to the attention of the other agency so that action can be taken to address them?
- Does your force provide clear procedural guidance on the downgrading of calls?

### Key questions for police officers/staff:


- When you are considering downgrading an incident, what steps do you take to ensure you are aware of all the relevant information?

### Action taken by this police force:

- The force is working with the ambulance and fire and rescue service to develop an MOU.
- Control room staff assess all calls for assistance using the THRIVE (threat, harm, risk, investigation, vulnerability, engagement) model, and any queries or concerns are raised through teams leaders and force duty officers.

### Outcomes for the officers/staff involved:

- There were no criminal, disciplinary or misconduct outcomes for any of the police staff involved.

 Click [here](#) for a link to the full learning report

## 2. Response to welfare concerns



In the early hours of the morning, two patrolling officers woke a man who they found sleeping with a bottle of cider beside him on the pavement.

The man showed the officers a copy of his custody record of two nights earlier and the officers used this to run a name search. This revealed warning markers for mental health problems. The officers did not believe that the man was suffering any immediate mental health difficulties so they left him where they found him and continued with their patrol.

A few hours later, a passer-by called police to report the same man lying at the side of the road.

The town's response sergeant, intercepted the incident log and used the police radio channel to advise the control room that officers had already spoken to the man earlier that night and that there was no cause for concern. As a result, the resource deployment officer (RDO) marked the incident as ready to close down on the system.

Shortly after this, a second call was received about the man. This time the call was from a retired paramedic who explained that the man was unconscious and not breathing, and asked for the police and an ambulance to attend.

The call handler recorded that the man was breathing but not responding. He did not contact the ambulance service or record the request to call an ambulance on the log. When asked about this later, the call handler said that he thought the caller's request for an ambulance was made as a throwaway comment and that responsibility for requesting an ambulance would rest with officers attending the scene.

This update was sent through to the same RDO who had made the earlier decision not to deploy any officers. However, before she had a chance to read the update, another RDO closed down the log as per the instruction given previously. The new information provided by the second caller was therefore never reviewed by the RDO and no officers were deployed.

Meanwhile, the retired paramedic gave CPR to the man in the false belief that emergency assistance was on its way. It was not until a passing motorist saw what was happening and called for an ambulance that paramedics were actually deployed.

When at the scene, one of the paramedics called to request police attendance because the man was being given CPR in a public place. The police call operator did not realise that the call related to the previously closed incident log and opened a new log and gave the paramedics the new reference number.

After speaking with the force incident manager, the call operator concluded that officers should not be deployed simply because the ambulance crew were treating someone in public. Instead of closing the log properly, however, she simply deleted it from the system.

Approximately half an hour later, the ambulance crew called again, asking where the police were and citing the reference number they had been given previously. As the log had been deleted, the call operator who answered this call was unable to find any record matching the reference number.

The man died in hospital about an hour after he arrived there.

An inquest found that the man died as a result of drinking alcohol with prescription drugs, which caused his respiratory system to fail, leading to cardiac arrest.

#### Key questions for policy makers/managers:

- How does your force ensure that calls from members of the public asking for assistance from more than one emergency service are dealt with effectively?
- What safeguards are built into your IT systems to alert staff that more than one person is simultaneously accessing or editing the same incident log, and to alert the other person to any relevant updates?
- How does your force ensure that any new information added to incident logs is always reviewed before logs are closed?
- What safeguards are in place to prevent incident logs from being accidentally deleted?

#### Key questions for police officers/staff:

- Before downgrading an incident, what steps do you take to ensure you have seen the most recent information?
- Are you confident that you understand the circumstances in which your force will not deploy officers in response to requests from other emergency services?

#### Action taken by this police force:

- Operators now receive automatic notifications when logs they own are updated by other users.
- The force's software developer is working with the national police user group to look at ways of ensuring that new updates are viewed before logs are closed.

#### Outcomes for the officers/staff involved:

- The resource deployment officer who took the information provided by the retired paramedic attended misconduct proceedings and received a written warning for falling below the standards of professional behaviour expected of police staff.

 Click [here](#) for a link to the full learning report

## 3 Safeguarding a vulnerable young person



Two Police and Community Support Officers (PCSOs) met a group of young people drinking alcohol in a park. When they saw the officers, the group ran away into a nearby wooded area. They left behind a 13-year-old-girl who remained sitting on the ground.

One of the officers recognised the girl from the local area. The officers suspected that the group may have been drinking and asked her to get up off the ground and sit on a nearby bench to assess her condition.

While the girl and several others described her as being extremely drunk, and barely able to stand, both officers say she got up and walked without help to the bench before sitting down.

The girl admitted to the officers that she had been drinking alcohol but pleaded with them not to take her home because she would get in trouble with her parents for drinking.

Noting that the girl had been able to answer their questions coherently, the officers decided that she was not sufficiently intoxicated to justify taking her home. The officers heard her friends laughing and shouting from the wooded area and thought it likely that they would come back when the officers left.

Before leaving, one of the officers told the girl that they would check back in an hour and take her home if she was still in the park. It is unclear why he made this comment as the officers finished their patrol and went home afterwards.

A short time after the officers had moved on, a 16-year-old-boy, who the girl knew, arrived with a girl of a similar age. The young woman left to go and buy water from a nearby shop to help the 13-year old girl to sober up. While left alone with the boy, the girl alleges that he took advantage of her vulnerable condition and sexually assaulted her.

#### Key questions for policy makers/managers:

- How does your force ensure that PCSOs, officers and staff are properly prepared to identify and deal with vulnerable people who they may encounter during the course of their work, including children and young people who may be at risk of harm?

#### Key questions for police officers/staff:


- How could using the national decision model (NDM) have helped you in the same situation?
- Do you know where to find your force's policy on safeguarding children and young people?
- Do you know who to ask for advice if you have concerns about a child or young person's welfare?
- Thinking about this case, what action would you have advised PCSOs in your force to take if dealing with similar circumstances to those in this case?

#### Action taken by this police force:

- The force rolled out a comprehensive training programme to equip its officers and staff with the skills to better safeguard children and vulnerable adults. PCSOs receive similar training to officers.

#### Outcomes for the officers/staff involved:

- There were no criminal, disciplinary, or misconduct outcomes for the officers involved.

 Click [here](#) for a link to the full learning report

## 4 Abuse of position



An officer was in charge of an investigation into an allegation that a woman had assaulted her ex-partner and two other people. He invited her to attend a voluntary interview, in which she disclosed that she had been the victim of domestic abuse at the hands of her ex-partner.

The woman said that, following this interview, the officer told her that he would try to have one of the charges against her dropped and that she should feel free to call him anytime.

Later the same day, the woman called the officer to report that she had received a number of abusive calls from her ex-partner. The officer then called her personal phone number six times over the following three weeks. While the purpose of his first call was to check how the woman was managing in the run up to her trial, the later calls were said to have been largely social and unrelated to her case.

Over the following two months, the officer and the woman started to exchange emails and text messages. Again, the officer's first email was related to the woman's case, but the conversation quickly moved on to her personal life and other unrelated matters. Over time, these exchanges became sexual in nature, culminating in the woman sending the officer explicit photographs of herself. In one particular five day period, 213 emails were exchanged between the woman and the officer's work email address.

### **College of Policing Code of Ethics, standard 2.3**

Standard 2.3 says the following in relation to an officer's personal relationships:

- Officers must ensure that any relationship at work does not create an actual or apparent conflict of interest.
- Officers must not engage in sexual conduct or other inappropriate behaviour when on duty.
- Officers must not establish an improper emotional relationship with a person with whom they come into contact in the course of their work who may be vulnerable to an abuse of trust of power.

[Read the Code of Ethics online](#)

At some point, the officer's supervisor became concerned about an unrelated matter and contacted the professional standards department. An audit of the officer's emails was carried out, revealing his exchange with the woman. He was notified that he was under investigation and subsequently resigned from the police service.

The investigation revealed that the officer had viewed the woman's police file on three separate occasions while he was in contact with her. This police file included warning markers, identifying her as being vulnerable because of her history as a victim of domestic abuse.

Several months into the investigation, the woman made a formal complaint that the officer had abused his position as a police officer by misusing her personal information to groom her for his sexual gratification. She said that the officer had not only communicated with her inappropriately, but that he had also visited her home on two occasions and engaged in consensual sexual activity with her. She stated that she had been in a fragile state of mental health and suffering with alcoholism when she met him and that she had become depressed as a result of his actions.

### **Maintaining a professional boundary between police and members of the public**

In May 2017 the College of Policing published guidance relating to professional relationships with members of the public. The new guidance is designed to be read in conjunction with the Code of Ethics and sets out the broad principles to support decision making and professionalism.

[Read the guidance online](#)

### **Key questions for policy makers/managers:**

- How is your force ensuring that it complies with the National Police Chiefs' Council's national strategy to address the issue of police officers and staff who abuse their position for a sexual purpose?
- What advice does your force give to officers on dealing with situations where a victim, witness or offender displays sexualised or inappropriate behaviour towards them? What steps have you taken to ensure they are aware of the College of Policing's guidance on maintaining a professional boundary between police and members of the public?
- Would force systems or supervisory practices enable your force to spot where officers were having excessive face-to-face or email contact, or inappropriate email exchanges with people they come into contact with during the course of their work?
- What action has your force taken to raise awareness of the Code of Ethics, in particular standard 2.3 which prohibits sexual conduct or other inappropriate behaviour when on duty?

### Key questions for police officers/staff:


- Are you aware of what action you should take if a victim, witness or offender displays sexualised or inappropriate behaviour towards you? Are you familiar with the College of Policing's guidance on maintaining a professional boundary between police and members of the public?
- Are you confident that you understand the principles and standards of behaviour enshrined in the Code of Ethics, and how they apply to your role?

### Action taken by this police force:

- The force is considering implementing new protective security measures as part of its proactive IT monitoring capability review.

### Outcomes for the officers/staff involved:

- The IPCC investigation determined that the officer had a case to answer for gross misconduct. However, the officer resigned before the investigation was concluded.
- The officer's name has now been added to the disapproved register.
- The Crown Prosecution Service (CPS) decided not to prosecute in this case.

 Click [here](#) for a link to the full learning report

## 5 Recognising conflicts of interest



A man's report that between the ages of seven and 11 he was abused by his father prompted police to raise safeguarding concerns for the father's other child and stepchild.

It was decided that police and social services would visit the father's wife to tell her about the allegations. The visit did not take place immediately because social services staff were unavailable.

In the meantime, a child protection strategy meeting with police and social services was arranged. An officer from the Public Protection Unit (PPU) was assigned to attend the meeting.

While preparing for the meeting, the PPU officer realised that the father and his wife were neighbours of a close friend. The officer later described her relationship with the father and wife as that of acquaintances. The PPU officer discussed this with a colleague. They agreed that there was no conflict of interest. There was no policy in place to oblige the officer to raise the matter with a senior officer.

The child protection strategy meeting was held four days after the allegation was made. At the beginning of the meeting, the PPU officer said that she knew the family and this was recorded in the minutes.

During the meeting, the allegation and safeguarding concerns were discussed. It was agreed that the joint visit would be carried out later that day to tell the father and his wife of the allegation and to put safeguards in place. Following the meeting, the PPU officer allocated the case to another officer to follow up and had no further involvement with the case. The PPU officer did not take part in the joint visit.

The father's wife made a complaint that the PPU officer should not have been involved in the child protection strategy meeting and the decision-making because she was a friend of the family.

### Key questions for policy makers/managers:

- What guidance do you give to officers and staff on assessing possible conflicts of interest?

### Key questions for police officers/staff:

- Thinking about this case, what would you do if you found yourself in the same situation?
- Do you know what to do if you identify a possible conflict of interest? Who would you speak to for advice, or to report it?
- If you are involved in investigations, what could possible conflicts of interest include?

### Action taken by this police force:

- Information about conflicts of interest will be incorporated into force guidance and procedures. The amendment will highlight the need for integrity and transparency in investigations. It will also emphasise the role of the officer's senior management team to assess if it is appropriate for the officer to be involved.
- Considerations of investigative issues such as conflict of interest can be considered during daily task management briefings. This makes line managers and supervisors aware of issues and to implement any changes as required.

### Outcomes for the officers/staff involved:

- There were no disciplinary or criminal outcomes for any of the officers or staff involved in this case.



Click [here](#) for a link to the full learning report

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## Suicide of indecent images suspect



Officers from a force's online offences team arrived to search a property and arrest a man for possession of indecent images of children.

The man was not at home and his partner told police that he was working away from the area. Before going to the address, police were not aware of this. The man did not have access to a phone but was able to contact his partner via the FaceTime video messenger. He was not due to come home for two weeks.

The officer left contact details with the man's partner and asked her to tell him on FaceTime to get in touch. The officer wanted to speak to the man about what would happen next and what support was available to him.

However, because the man did not have access to a phone, the police believed they did not have a way to contact him directly. They relied on making contact through his partner.

The man's partner contacted him on the same day, after officers left. She then contacted the investigating officer to tell her that the man would attend the local police station 16 days later, three days after he was due to return home.

The officer did not complete a risk assessment or record a rationale about the plan for making contact with the man. The man's partner spoke to the investigating officer over the phone a number of times in the 24-hours following the police visit to her home. At no point did the police make other attempts to contact the man directly.



## **National Police Chiefs' Council's Interim Guidance for Suicide Prevention – Risk Management for Perpetrators of Child Sexual Exploitation (CSE) and Indecent Images of Children (IIOC)**

“Suicide risk assessments are always required to be completed for CSE and IIOC suspects/offenders. These types of offenders should all be considered to be of potential high risk until proven otherwise. Clear, positive and appropriate action is necessary, including providing advice and support as needed.”

[Read the guidance online](#)

The following day, the man returned but did not go home. After arriving, he contacted his partner at about 10pm to let her know he was back.

He told her the name of the city he had arrived in but he would not say where he was staying. He then switched off his phone. The man's partner notified the police. A missing person enquiry was opened in co-operation with the local force for the area in which the man was reported to be.

Around 5am the next morning, the man was found dead, having committed suicide, less than 48-hours after police first attended his property.

### **Key questions for policy makers/managers:**

- How does your force manage the risk to suspects who are outside the force's area?
- When someone is under investigation for sexual offences relating to children, how do you make sure the risk of suicide is monitored, managed and mitigated?

### **Questions for police officers and police staff**


- Thinking about this case, what would you have done if you had a suspect who could not be contacted directly?
- If you were faced with the same situation, would you have made arrangements for the man to be arrested by a force near his work?
- What would you have done to manage the risks to the suspect?

### **Action taken by this police force:**

- The force's suicide reduction strategy has been amended to bring it into line with the National Police Chiefs' Council's interim guidance on suicide prevention.
- Intelligence referral packages are stored centrally and available to supervisors for review. Post-arrest, or following the execution of a warrant, force guidance advises that all risk management steps should be recorded on the crime investigation system.
- Officers in the online offences team have been advised of the importance of recording clear and accessible rationales.

### **Outcomes for the officers/staff involved:**

- No misconduct or performance outcomes for the officer. Learning opportunities from the case were shared with the wider team.

 Click [here](#) for a link to the full learning report



Police were called after a man attempting to cross a picket line felt threatened by a demonstrator.

Officers arrested the man who was demonstrating. He was taken to a local police station, interviewed and bailed to appear in court.

Bail conditions restricted him from being in the place of the incident, which was his place of work. He was also not permitted to be involved in trade union activity or attend organised strike action until the case finished.

Four days later, the man's solicitor made representations on the proportionality of the bail conditions. These were then amended.

Three months after his arrest, the man was found not guilty and the case was dismissed.

Following an appeal of his case, it was concluded that the bail conditions had been overly restrictive and disproportionate. This decision was made because of the nature of the offence and the fact that the man had no previous convictions, and he also had no history of interfering with witnesses or offending while on bail.

#### Key questions for policy makers/managers:

- What training, advice, or support does your force give to officers to help them develop bail conditions which are justified, proportionate and capable of being policed?
- What steps does your force take to monitor or review bail conditions to ensure they remain fit for purpose?

#### Key questions for police officers/staff:

- Thinking about this case, what bail conditions would you have imposed?

#### Action taken by this police force:

- The force reviewed the policy on bail conditions to ensure that it places sufficient emphasis on considering proportionality.

#### Outcomes for the officers/staff involved:

- There were no disciplinary or criminal outcomes for any of the officers or staff involved in this case.



Click [here](#) for a link to the full learning report

### Becoming the Independent Office for Police Conduct

In January 2018, the IPCC will become the Independent Office for Police Conduct (IOPC), as set out in the Policing and Crime Act 2017. The Act introduces several changes that we asked for – both to the police complaints system and to the structure and powers of the IPCC.

Since 2013, we have doubled in size and are taking on nearly six times as many independent investigations. Given this level of growth, we asked the Government for a new structure that is better suited to our much expanded organisation. The new structure will have a Director General at its head, supported by two deputies, and a network of regional directors and a director for Wales. As it will no longer be a 'commission', we are taking on a new name.

While our name will change – our role, purpose and independence will not. We will continue to use what we learn through our work to improve policing.