PROCEDURE

Title:	Death in Custody or Following Police Contact	
Practice / Business Area:	Detention & Custody	
Department Responsible:	Professional Standards	
First Published:	24/06/98	Amendment Record
Last Reviewed:	24/09/15	This document applies to employees of the:
Version Number:	10	Chief Constable

SOUTH WALES POLICE MISSION & VISION:

KEEPING SOUTH WALES SAFE

TO BE THE BEST AT UNDERSTANDING AND RESPONDING TO OUR COMMUNITIES' NEEDS

SOUTH WALES POLICE PROCEDURE OBJECTIVE:

To maintain community confidence by ensuring any deaths in custody or deaths after contact are investigated in an open, impartial and transparent manner.

PROCEDURE:

- A police officer has a duty to protect life, if there is the slightest indication that the person is still alive, every effort must be made to preserve life. This will undoubtedly include summoning medical assistance and CPR, as well as initial action to preserve evidence.
- An incident scene log will be commenced and ambulance called.
- If life is extinct then the body must not be moved and the scene must be preserved.
- The incident will be reported to a supervisory officer.
- The BCU Commander or Silver Car Commander must be informed.
- The Professional Standards Department must be contacted immediately so that a senior investigating officer [SIO] can be appointed as soon as possible and the matter referred to the Independent Police Complaints Commission, (IPCC).
- The SIO will consider whether or not to implement the Post Incident Manager (PIM) process.
- The following details will be passed to the Professional Standards Department at Force Headquarters, as soon as practicable:-
  [a] name, age and address of deceased person;
  [b] time and date of arrest and reason for arrest;
  [c] if not under arrest, reason for being with the police;
  [d] known/suspected cause of death;
  [e] time, date and place of death.
- In the event of the death occurring outside office hours this information will be passed via the Force Incident Manager (FIM) at the Public Service Centre (PSC), to the on-call officer from Professional Standards.
- A Forensic Medical Examiner (FME) must be summoned to attend.
- The BCU Detective Inspector or the senior detective on duty must be informed and they will ensure that the scene is preserved and sealed. The officer carrying out this role will take possession of any relevant items or documentation for the SIO.
- Officers must be aware that this might include batons, handcuffs, vehicles, clothing, footwear or anything else that may be needed to prove or negate allegations that could be made at a later stage.
- If the death occurs in a custody suite, ideally, all other prisoners will be transferred to alternative accommodation in a different wing of that custody suite. No prisoner is

to be released until such time as the investigating officer, or members of his team, has interviewed them. [It is recognised that this may be in breach of Article 5, Human Rights Act 1998. However failure to take this course of action could seriously jeopardise the investigation].

- Other key witnesses may also be in the custody suite, such as solicitors, social workers, probation officers or lay visitors. They should be asked to remain as witnesses or their full details need to be obtained in order that statements can be taken as soon as practicable.
- A scene of crime officer will be contacted immediately. In the event of a death occurring outside of their rostered tours of duty, the call out must be sanctioned by the SIO or his deputy.
- The coroner must be informed, either through the Coroners Officer or directly as advised by the SIO.
- Under no circumstances must the body be removed until after the coroner has been informed and permission granted for its removal.
- When the body is removed it is essential for continuity to be maintained and a police officer, who can identify the body throughout its transfer from the scene to the mortuary, will be appointed by the SIO. This officer will usually be the Scene of Crime Officer.
- Where appropriate the SIO will use an appropriately trained family liaison officer to liaise with the next of kin.
- Where appropriate the SIO will consider the provision of Critical Incident Stress Debriefs by appropriately trained Counselling and Trauma Advisors for all staff involved in the incident.
- The Joint Legal Services Department will be advised as soon as practicable of a Death in the Care or Custody of the Police and the protocol that exists between the Professional Standards Department and the Joint Legal Services Department will be implemented.
- All disclosure will be made in accordance with Home Office Circular 13/2002 and only after consultation with the Force Solicitors Office.
- Any enquiries by the press/media will be directed to the Force PRO. Press Releases will be made following liaison between the SIO and PRO and with the approval of the IPCC.
- After the inquest has been held, or a death certificate issued, a full written report will be submitted to the ACC Specialist Ops.
- Where an inquest was held, the following information must be included in the report:-
  The verdict;
  Any criticism made of the police by the coroner;
  Whether any complaint has been made against any police officer concerning the death.

FORMS:

N/A

LEGISLATION & REGULATION:

Home Office Circular 13/2002, Report of death of Members of the Public During or Following Police Contact
The Human Rights Act 1998

REFERENCE MATERIAL:

Categories of death in police care or custody