



Mayor Tracy Brabin
West Yorkshire Combined Authority
40-50 Wellington Street
Leeds
LS1 2DE

Kevin McLoughlin
Senior Coroner
West Yorkshire (E)

6 May 2022

Dear Mr McLoughlin

**INQUEST TOUCHING THE DEATH OF ANDREW DAVID KITSON
REGULATION 28: REPORT TO PREVENT FUTURE DEATHS**

I acknowledge receipt of your Regulation 28 report dated 3rd May 2022 and provide this response pursuant to Regulation 29 of the Coroners (Investigation) Regulations 2013.

Firstly, I would like to offer my sincerest condolences to the family of Andrew for their loss in circumstances that I appreciate must be extremely distressing.

Your report has raised two matters of concern namely that:

- (1) The evidence taken at the inquest revealed insufficient statistical evidence was available to guide an evaluation of the proportion of spontaneous police pursuits which
 - a. involve driving at high speeds through residential areas;
 - b. result in apprehension of an offender;
 - c. result in personal injury to other road users or property damage;
 - d. are aborted without the alleged offender being caught;

without such analytical feedback (ideally prepared on a national basis) the risks inherent in such pursuits, balanced against their effectiveness, cannot adequately be reviewed.

- (2) The rules governing spontaneous police pursuits in residential areas place an onerous burden upon police drivers to review continuously the safety of proceeding whilst at the same time driving at high speed. The pursuit manager who authorises the continuance of a pursuit is dependent upon fragments of



verbal messages relayed over the radio, due to the perceived need to leave airtime for other TPAC units to input information. The inquest heard evidence to the effect that real time camera pictures from the police vehicle are not always available due to IT issues. This means that the pursuit manager must largely trust the judgement of the police driver.

In order to lessen the burden upon the police driver in having to weigh numerous factors in a continuing, complex judgement, consideration should be given to a refinement of the parameters in which pursuits in residential areas are permitted. Such guidance to pursuit managers (informed by data regarding the effectiveness and risks arising in previous pursuits) would help to promote consistency and lessen the dependence on a case-by-case judgement made in a pressured timescale.

The use of spontaneous police pursuits is a matter of operational policing concerning the deployment of police officers which falls under the direction and control of the Chief Constable. As the Mayor of West Yorkshire with Police and Crime Commissioner responsibilities, my statutory role is to hold the Chief Constable of West Yorkshire to account for the performance of his functions without compromising or fettering his operational independence (s.1 Police Reform and Social Responsibility Act 2011 and Policing Protocol Order 2011).

I have governance structures in place to facilitate and support my statutory functions, including regular executive accountability meetings held with the Chief Constable and Chief officer Team at West Yorkshire Police, and a Joint Independent Ethics Committee that independently scrutinises the ethics of policing in West Yorkshire. This independent committee receives an annual report on the ethical considerations around police pursuits which covers decision making, threat and risk considerations, all related injuries and fatalities subject to a Post Incident Manager or IOPC referral and any ongoing work and developments.

I have had sight of the Chief Constable's response to your report which I trust addresses the operational concerns you have raised. In my role as the Mayor, I will continue to hold the Chief Constable to account in the performance of his statutory functions including the use of spontaneous police pursuits.

Yours sincerely,



Tracy Brabin
Mayor of West Yorkshire