



**WEST YORKSHIRE
POLICE**

Headquarters
PO Box 9
Laburnum Road
Wakefield
West Yorkshire
WF1 3QP

Office of the Chief Constable

Friday 6th May 2022

Kevin McLoughlin
Senior Coroner
Coroners Office and Court
71 Northgate
Wakefield
WF1 3BS

Dear Mr McLoughlin

**Inquest touching the death of Andrew KITSON 1st – 3rd March 2022
Response to announcement pursuant to Regulation 28 of the Coroners (Investigations) Rules 2013.**

I am writing in response to the matters you raise in Annex A paragraph 5B of the Regulation 28 report directed towards West Yorkshire Police.

First of all, I wish to take this opportunity to express my sincere condolences to the family of Andrew. I can appreciate how distressing the loss of a family member would be, particularly in these tragic circumstances. I would from the outset seek to reassure that any and all police incidents or activity that are either directly, indirectly or otherwise linked to the serious injury or death of any individual are, as a matter of course, inspected and investigated with due diligence.

Following receipt of the Regulation 28 report, we undertook to re-evaluate our local arrangements at West Yorkshire Police and also to liaise with the NPCC National leads for Pursuit and Driving Standards to assess our compliance with National Standards.

In your report to prevent future deaths Annex A paragraph 5B you identified 2 matters of concern which I shall reply to in turn.

- 1. The evidence taken at 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 the 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.

West Yorkshire Police has recorded data relating to pursuits since 2017. From April 2019, the mechanisms for recording data changed and as such for the period between April 2019 and July 2020, the data remains available but only manually retrievable from RT18 forms. This particular format is not easily useable or searchable. However, since July 2020 all pursuits are recorded on a Force system called Chronicle (an electronic database) and this data is passed through to the National Pursuits Group (NPROII) on a quarterly basis. The data includes whether the pursuit was spontaneous, the reason for the pursuit, time/date, whether the pursuit was discontinued, the reason for discontinuance and the location.

While the data does include a location, this is a point in time and does not readily identify all streets the pursuit may drive along. West Yorkshire obviously combines urban and rural locations and an extensive strategic road (motorway) network. It is commonplace for many pursuits to take place on a variety of road types therefore identifying all pursuits that occur in urban areas/ residential streets/ motorways would entail reviewing each minute of every pursuit. Whether a pursuit should continue on a residential road is based on the risk assessment (environmental factors, suspect behaviour, offence gravity) at the time the pursuit is occurring.

The Chronicle system does not record speeds of the police vehicle; however, speed is recorded on the vehicle's internal system (Airmax) data as well as the vehicle's internal camera (Watchguard: fitted to all advanced vehicles). Both the data and in-car footage are retrievable, however this would require manual review and cross-referencing. During the incident subject of the inquest, the speed of the police vehicle on a residential road reached 90mph for a very short period of time and then reduced. While there is no definition per se of what speed constitutes "high speed", this would be a subjective assessment dependent on the overall risk assessment and prevailing circumstances surrounding the pursuit. Due to the dynamic nature of pursuits, the reality and perceptions of high speed have the potential to vary rapidly as the prevailing circumstances change.

The statistical data that is obtained through Chronicle advises whether there was any injury to any persons involved in the pursuit. The data also includes the level of damage caused to the police vehicles, subject vehicles, street furniture and any other property. A sample of the data from Chronicle between 1 April 2021 and 31 March 2022 show that, of the 825 spontaneous pursuits, 16% resulted in some form of damage to property and only 2.6% resulted in some form of injury.

There is currently no system-retrievable data which directly correlates whether a suspect is detained as a result of a pursuit. Additional de-briefing reports (the command and control system incident log, supervisor shift reports) do routinely explain pursuit activity and arrests made. Chronicle can only be configured on a national level to include whether an arrest(s) is made or not. Discussions are to be undertaken with the National Pursuit Group to explore the re-configuration of Chronicle to include specific arrest information.

The local data (via Chronicle) will be fed into training to inform of considerations around risk and the duty to apprehend suspects. Similarly, the national data reporting will be consistently fed into driver training.

Collaboration with the National Pursuit Group regarding whether all Forces routinely debrief pursuit activity (incorporating airmax/ watchguard) and to adapt as local practice is ongoing.

The ongoing assessment of trends in pursuit outcomes and the link to driver training (national standards) has been raised with [REDACTED] (national lead for Pursuit).

- 2. The rules governing spontaneous police pursuits in residential areas place an onerous burden upon police drivers to review continuously the safety of proceedings whilst at the same time driving at high speed. The pursuit manager who authorises the continuance of a pursuit is dependent on 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 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 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 disputes) would help to promote consistency and lessen dependence upon a case-by-case judgement made in a pressured timescale

It is important to state that UK Policing works to achieve national consistency around training, tactics and decision-making. Consideration of collating and using statistical data to re-define parameters would require a National-level discussion to ensure any decision taken was a consistent one.

It is an operational reality that every pursuit has different and distinct dynamics which relate to: environmental factors; suspect identity, capability and intent; suspect vehicle capability; police officer capability; police vehicle capability; offence severity; and the ongoing risk assessment. Taking these into account, and in order to provide the best possible decision-making capability, West Yorkshire Police's Driver Training utilises Authorised Professional (National) Practice, in conjunction with robust training around the use of the National Decision Model, which outlines the relevant roles and responsibilities as below. Our organisational code of ethics also demands that officers, pursuit commanders and supervisors consider strongly what the public would expect of them in any given situation and also what the expectations of West Yorkshire Police would be and this sits at the centre of all decision-making activity.

Control/communications room supervisor

In addition to providing support and advice to the operator engaged with the pursuit, the control/communications room supervisor is responsible for:

- the overall control of the pursuit
- constantly risk assessing the activity, based on information and intelligence received
- approving initial and continued authorisation for pursuit, at the earliest opportunity
- ensuring that tactical phase trained advanced drivers in suitable vehicles have been assigned to a pursuit and can respond within a timeframe that balances operational need with the potential for harm, where initial phase trained drivers/motorcyclists have been authorised to conduct initial phase pursuit

- identifying and agreeing a pursuit commander
- considering the current level of authority in light of incoming information (dynamic risk assessment process, and sources of intelligence) and advice from an appointed pursuit tactical advisor
- ordering additional units to assist if necessary.

The control/communications room supervisor should also ensure that forces are notified when a pursuit is approaching force boundaries and provide them with information regarding any tactical authorisations previously given and current.

The emphasis should be on the fact that Control Room Supervisors manage the pursuit in terms of available appropriately trained resources / tactics, and the overview of other resources or operations that may impact. E.g. A firearms operation running in the same immediate area.

Pursuit (Ground) Commander

This role is not rank based and is undertaken by the person most appropriately placed and equipped to make necessary tactical decisions. The pursuit commander is an appropriate officer within one of the pursuing tactical phase vehicles, responsible for executing tactics and maintaining communication during the management of a pursuit. They should clearly identify themselves as such to all officers engaged in the pursuit, and to control/communications room staff.

The pursuit commander co-ordinates the deployment of tactics whilst providing relevant risk assessments throughout.

Throughout the pursuit the risk assessment should be refreshed and include the following considerations, in accordance with the [national decision model](#):

- the current level of risk posed by the pursued driver
- whether or not the suspect's identity is known
- the seriousness of any known offence committed or suspected
- the weight of intelligence as to whether the suspects are, or are likely to be, armed
- whether the driver is, or appears to be, a juvenile or whether it appears that other vulnerable persons are in the vehicle
- the type of vehicle being pursued, e.g. car or motorcycle
- the current/anticipated route in respect of the time of day, road, weather, traffic, specific considerations such as schools, licensed premises or off-road terrain
- the availability of tactical options.

For wider context and reassurance, the actions taken to reduce the inherent risks posed by pursuit driving are:

- the training of the officers (both driving and risk management – including development of the use of the National Decision Model);
- refreshing that training regularly (training within West Yorkshire is refreshed in line with the College of Policing guidance (Standard/Advanced – every 5 years and Initial Phase Pursuit/Tactical Phase And Containment – every 3 years).

- providing other assigned resources such as NPAS (air assets, helicopter and fixed wing aircraft) and Dog Units;
- oversight from the Force Control Hub (FCH) Supervisor who has autonomy to discontinue the pursuit based on the risk assessment.

The FCH Supervisor has the capability to watch the pursuit through a live feed. The inquest heard evidence that this can be affected by connectivity issues when in heavily populated or rural locations and as such does sometimes have a time lag but generally provides valuable information to aid decision-making. However, this reinforces the rationale for affording the decision-making primacy with the Ground Commander (as below).

The Force Control Hub Supervisor is involved in conducting a joint risk assessment with the Ground Commander, but it is for the Ground Commander to lead this assessment and there are natural advantages in doing so. The FCH Supervisor is inevitably unable to view everything the ground commander can see, hear and feel from within the vehicle. Should the Ground Commander only be requested to provide a limited risk assessment (to mitigate their decision-making burden) then there exists the potential for a detrimental effect on the overall assessment. Driver training courses are already heavily orientated towards the assessment of risks in built up areas with the majority of training being on urban roads along with an emphasis on key features officers should be looking out for when conducting risk assessments and of course the use of APP for risk assessments.


Post-incident Procedures

Should any pursuit result in death or serious injury, referrals are made to the IOPC via our Professional Standards Department and a Post-incident Procedure instigated with trained and accredited Post-incident Managers. This procedure is also a nationally standardised and accredited one which seeks to determine causation, any degree of blameworthiness and/ or learning & improvement activity for individuals and/ or the force involved.

Nationally, Deputy Chief Constable Woods (National Police Chiefs Council for Driver Training) leads on the standardisation of training, trainer student ratios, how many days training per annum, force's compliance reporting via Chief Officer Teams and is working towards Driver Training products being licensed via the College of Policing.

I do hope that the information provided above allays your concerns which you expressed in your letter dated 3rd March 2022. I also hope this provides the family and any interested parties with assurance that West Yorkshire Police are committed to ensuring the safety of all persons during police pursuits.

Yours sincerely



Chief Constable
West Yorkshire Police