



Coroner's Office

Coventry Register Office
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Coventry CV1 2ND
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19 February 2026

Dear Sir John Saunders (Acting Coroner),

Inquest into the death of Sean Fitzgerald. Letter of concern

I am writing in response to your letter dated 8th July 2025, and as a follow up to my letter to you dated 26th August 2025. This letter relates to the coronial inquest into the death of Mr Sean Fitzgerald and a matter of concern arising from that inquest. I acknowledge your concern in respect of the provision of key police witness accounts in the post incident context and I would like to take the opportunity to update you on the work undertaken to address your concern.

Following consultation with stakeholders, most notably the Independent Office of Police Conduct (IOPC), who were also in receipt of a letter of concern regarding the same matter, additional guidance has been drafted for inclusion within The College authorised professional practice on armed policing (APP-AP) and the authorised professional practice on post-incident procedures following death or serious injury. The amended APP will be published within the next 2-3 weeks and in the interim the guidance has been published in a National Police Chiefs' Council (NPCC) national circular and circulated to all police forces in the UK for immediate implementation. The amended guidance has been included in a practical scenario that formed the basis of this year's annual College national Post Incident Manager (PIM) training which all PIMs must receive.

The guidance now states.

Reference material

Reference material may include:

- *body-worn video (BWV) footage*
- *incident logs*
- *notes taken at the scene or during the incident*
- *command logs*
- *recording of communications*

Any available reference material, documentation and BWV footage, that may be relevant to a DSI following police contact, will be essential to the subsequent investigation and should be secured and managed appropriately.

Viewing BWV and other reference material and the provision of accounts

The PIM has responsibility for determining whether an officer/staff member may refer to an item of reference material when providing their accounts and should make these decisions in consultation with the IIA and IIO/PSD.

It is essential that a KPW provides the most complete personal initial account that they are able while their memory is most intact and unaffected, (see Stage three – personal initial accounts). A KPW should provide an initial account based solely on their personal recollection of the incident, to preserve the integrity of their evidence and avoid contamination from post-event information. This accords with the requirements in the Police Reform Act 2002, the Standards of Professional Behaviour in The Police (Conduct) Regulations 2020 and the IOPC Statutory guidance which collectively provide the framework for obtaining and preserving evidence in DSI matters.

The potential impact on the individual's perception and recollection of events makes viewing reference material inadvisable prior to completing the personal initial account. In some circumstances however it may be appropriate for a KPW to view or listen to reference material other than BWV, (e.g., log information, contemporaneous audio, written notes), before providing a personal initial account. Such material may have captured information that helps a KPW accurately recall relevant and essential elements of an incident.

BWV is a valuable corroborative tool but must not replace a KPW's account. It offers a relatively limited perspective and should therefore be used in conjunction with other evidence sources. It may be appropriate for one KPW to view another person's BWV footage, for example, where two officers/members of staff were acting in close proximity and one BWV did not record. Where

the BWV has recorded footage which provides a significantly different perspective than a KPWs personal BWV would have captured it should not be viewed. Only in exceptional circumstances, and with the agreement of the IIA, should remote footage (e.g., CCTV, drone) be viewed.

The human memory system does not work in the same way as a camera. BWV may therefore present a different visual perspective from that experienced by the KPW at the time. A camera does not, for instance, accurately capture peripheral vision or tactile cues. BWV may however provide visual cues that assist a KPW in describing their experience and perception.

Where incidents or 'use of force' interactions are uncomplicated, or occur within a short time period, it may not be beneficial, and could even be prejudicial, to view BWV prior to providing a detailed account.

Viewing BWV at an appropriate time may assist the KPW in recalling specific details, particularly sequencing of events in complex or protracted incidents. It may also help ensure accuracy in describing the use of force and its justification or assist with recall of critical evidence such as location of objects, demeanour of individuals, or environmental conditions.

Viewing BWV may however influence an officer's memory, consciously or unconsciously, and as a consequence their accounts may unintentionally include details they didn't perceive during the incident.

KPWs should not therefore feel obligated to describe everything that the BWV has captured if they have no personal recollection of it. This could prejudice officer's accounts and lead to further scrutiny.

Any decision regarding the point at which a KPW views BWV should be made following careful consideration of the circumstances and the implications for the KPWs memory and recall. The decision, and supporting rationale, relating to the point at which a KPW views their BWV must be recorded by the PIM following consultation with the IIA and IIO/PSD.

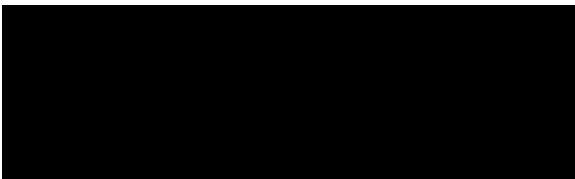
There may be circumstances where there is an understandable difference between what has been captured in reference material and what the KPW has recalled and reported in their personal initial account or detailed account. The KPW may be able to explain any differences within their detailed account or in a subsequent account, depending on whether they view the relevant reference material before or after provision of the detailed account.

If BWV is viewed prior to providing a detailed account.

- *the officer/staff member must document the prior viewing of BWV in their account*
- *a personal initial account that meets the APP criteria should have been previously completed (see stage 3 - personal initial accounts)*
- *the PIM must record the rationale for this*
- *the account should distinguish between what the officer recalls from their own memory and what is observed from the footage to the extent possible*
- *the reason and timing of the viewing must be included*
- *the account should clarify, where possible, differences in the personal initial account*

I would also like to reassure you that The College works proactively with forces, the NPCC and other stakeholders to ensure that the training and guidance it provides remains operationally relevant and that lessons are learnt. I would like to thank you for making me aware of your concern and I trust the response will satisfactorily address that concern.

Yours sincerely,



Chief Executive Officer
College of Policing

