

Case 2 Issue 38 – Roads policing		LEARNING THE LESSONS
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Issues with an officer's driving authorisation when transferring force

Collision involving an officer not permitted to engage in pursuits, raising issues about:

- *Checks on officers transferring from other forces*
- *Updating force systems about changes to authorisations*
- *Communication of changes to levels of authorisation*
- *Adherence to force policy vs statutory obligations on legal exemptions*

This case is relevant to the following areas:



Overview of incident

PC A joined Force A from Force B less than a year before the incident. PC A gave his training records from Force B to Force A. They showed he was standard response and initial phase pursuit (IPP) trained and authorised. Mr B, a team leader in Force A's driver training unit, arranged for PC A to receive the same authorisations within Force A. These were added to PC A's driver training records.

Shortly after, PC A contacted Mr B to find out whether he would need to undertake any form of driving assessment. Mr B established PC A had not driven operationally within the previous 12 months, which was required under Force A policy. Mr B arranged for a driving assessment for PC A.

Around a week later, Ms C, a staff member in the driver training unit, printed a permit for PC A. This included IPP authorisation and was sent by post.

A few days later, PC A undertook a transferee driving assessment. He lost his IPP authorisation. PC A signed paperwork acknowledging this, and that he was not allowed to engage in pursuits under any circumstances. Force policy stated standard response drivers were subject to a maximum speed of 20mph above the posted speed limit and must be IPP trained to engage in the initial phase of a pursuit in a reporting role.

PC A said approximately two to three weeks later he received the permit printed by Ms C via internal post. PC A said he believed this meant he was IPP authorised because he had

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undertaken IPP refresher training within the previous five years with Force B. He did not query the permit with the driving school.

The driving school records showed PC A's IPP qualification was not removed from his record until approximately one month later. It was unknown why his record was not updated until one month after his assessment. Force A's systems showed a revised permit was printed for PC A without the IPP qualification. This was placed in internal post, which was not traceable. PC A said he never received the revised permit.

Approximately eight months later, PC A said he was travelling on an A road around 11.20pm when he saw a woman (now known to be Ms D in the driver's seat of a parked car in a layby. He pulled alongside the car and noticed a "crack type pipe" on the gear gator. PC A said he thought Ms D was a drug user and said he intended to conduct a search.

He said Ms D had the key in the ignition with the engine turned off and her window was down approximately 10 inches. PC A said he tried to open her door but it was locked. He said he told Ms D to take the key out of the ignition before reaching through the window and trying to take it out himself. However, he failed to do this and Ms D turned the engine on, driving off at speed. PC A was unable to record the registration number of the vehicle because Ms D drove without lights on.

PC A said he got into his police vehicle to follow, illuminating his blue lights and activating the sirens.

PC A notified the control room of the pursuit and that he was an 'Amber' driver. Amber drivers are those trained in standard response and IPP driving. Within minutes the initial phase of the pursuit was authorised.

PC A said at the time of the incident it was late at night and dark. He also said there was little to no traffic on the roads and the weather was dry. A number of other police units were dispatched to the pursuit. Data from the police vehicle indicated PC A was travelling over 20mph above the posted speed limits throughout the pursuit. At different points in the pursuit, PC A travelled at speeds including 85mph in a 30mph zone, 104mph in a 50mph zone, and 90mph in a 60mph zone. This went against force policy, and would have breached force policy regardless of whether PC A was IPP authorised. PC A admitted he consciously breached force policy in respect of his speeds during the pursuit, saying he used speed exemptions afforded to him under The Road Traffic Regulations Act. He believed they superseded locally set policies.

PC A described Ms D's driving, which included cutting corners and entering the wrong side of the carriageway. He said at one stage Ms D was driving over 100mph and the distance between them was increasing.

PC A said he reported his own speeds to the control room throughout the pursuit. However, the control room supervisor told the IOPC he understood the speeds reported by PC A to relate to the speed of the subject vehicle.

PC A reported Ms D had crashed approximately 10 minutes after the pursuit began. The pursuit covered approximately 14 miles.

Type of investigation

IOPC independent investigation.

Findings and recommendations

Local recommendations

Finding 1

1. When PC A gave his driver training records from Force B, the same authorisations were added to his Force A driver training record. It was subsequently found the officer had not driven operationally within the previous 12 months.

Local recommendation 1

2. The IOPC recommends the force makes sure all relevant checks are carried out before officers who have transferred from another force are authorised to drive with the force. This should include making sure officers meet any requirements under force policy, including requirements regarding recent operational driving experience.

Finding 2

3. When PC A's authority to engage in the initial phase of a pursuit was withdrawn, their force driving record was not updated to reflect this change for one month. When the record was updated, a new driving permit was printed to reflect this change and sent to the officer via internal post. However, PC A said he did not receive it. When a document is sent through internal post, there is no way to track it and/or determine if it is received by the recipient.

Local recommendation 2

4. The IOPC recommends all information about an officer's driving authorisation/category is stored centrally within the driving school. Where there is a change, the driving school should make sure this is reflected on its records without delay. A driving permit reflecting any such changes should be issued to the officer concerned without delay, with a process to acknowledge receipt.

Response to the recommendations

Local recommendations

Local recommendation 1

1. The force agreed to put in place a process to review and record training from an external force. They also agreed to make sure officers are aware of the agreed level of transferrable skills and the subsequent driving authorisation for the force, as well as any training requirements.

Local recommendation 2

2. The force agreed to put in place a process where officers and staff can view their driving record in order to dispense with the need for paper licences. The force also agreed to formally remind driver trainers that when a driving authorisation has been revoked or changed, more emphasis should be applied to make sure the student is aware of the impact and their acknowledgement properly recorded.

Outcomes for officers and staff

PC A

1. PC A was found to have a case to answer for misconduct. This was for the allegation he breached force policy with his speeds during the pursuit. The force dealt with this through learning for PC A, rather than a formal disciplinary process.

Questions to consider

Questions for policy makers and managers

1. How does your force make sure all relevant checks are carried out before officers who transfer from other forces are authorised to drive with your force?
2. What steps does your force take to make sure when changes are made to the level of authorisation an officer holds, these are clearly communicated to the relevant individuals and force systems are updated in a timely manner?
3. How does your force make sure relevant officers are aware when changes are made to the level of authorisation a driver holds?
4. How does your force make sure control room supervisors actively risk assess ongoing incidents?
5. How does your force make sure police drivers and control room staff communicate proactively about speeds used in a pursuit?