



Immigration
Enforcement

Post-incident procedures: in the event of death or serious injury

Version 2.0

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About this guidance

This guidance sets out Immigration Enforcement (IE) procedures to take place in the event of a death or serious injury (DSI) occurring during, or as a consequence of enforcement activity.

The overarching purpose of this guidance is to ensure that there is a standardised and transparent post-incident process which addresses staff welfare, facilitates accountability, and assists in internal and external investigatory processes.

This guidance should be read in conjunction with Critical incident management guidance.

Contacts

If you have any questions about the guidance and your line manager or Head of Unit cannot help you or you think that the guidance has factual errors, then email IE Critical and Post-Incident Management (IECPIM).

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance Rules and Forms team.

Publication

Below is information on when this version of the guidance was published:

- version **2.0**
- published for Home Office staff on **19 August 2026**

Changes from last version of this guidance

- added jurisdictional differences for England & Wales, Scotland and Northern Ireland
- updated wording in relation to IE Post-Incident Suite locations
- updated provision of accounts stages
- replaced Assistant Director with grade 7 throughout
- added new sections on [Body-Worn Video](#), reference material and exhibits
- updated guidance on protecting key immigration witnesses identity
- renamed the Staff welfare section to [Staff wellbeing](#) and updated Health and Safety Wellbeing (HSW) support processes
- removed the 'Providing Accounts' flowchart

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Overview

Article 2 of the European Convention on Human Rights (ECHR) imposes a duty on law enforcement agencies to conduct an effective official investigation when individuals have been subject to a death or serious injury (DSI) as a result of or during actions taken by the agency.

According to the ECHR, the investigation must:

- be on the state's own initiative (for example, not civil proceedings)
- be independent, institutionally and in practice
- be adequate and capable of determining whether the force used was justified in the circumstances and leading to the identification and accountability of those responsible
- be prompt
- allow for sufficient public scrutiny to ensure accountability
- allow the next of kin to participate

Additionally, Statutory Guidance from the Independent Office for Police Conduct (IOPC) regarding achieving best evidence in death or serious injury matters dictates that law enforcement agencies must take action to:

- identify and preserve all potentially relevant evidence and scenes
- identify and oversee all key immigration witnesses (KIW)
- limit conferring where necessary
- capture personal accounts from key immigration witnesses
- ensure that officers' accounts are not contaminated by other evidence

The cycle of a critical incident (CI) as recognised by the Home Office is as follows:

- planning for a CI
- recognising and declaring a CI
- managing the CI and preventing further escalation
- managing a return to normality

Where a DSI occurs during a CI, the Immigration Enforcement (IE) Post-Incident Procedures (IEPIP) aid in the return to normality. It is designed to support a managed transition between the operational phase of the CI occurring, any subsequent investigation, and the return to normal working practice.

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Death or serious injury

England and Wales

Section 12 of the Police Reform Act 2002 describes a death or serious injury (DSI) as any circumstances in, or as a result of which, a person has died or sustained serious injury and:

- at the time of death or serious injury the person had been arrested by a person serving with the police and had not been released or was otherwise detained in the custody of a person serving with the police
- at or before the time of death or serious injury the person had contact of any kind – whether direct or indirect – with a person serving with the police who was acting in the execution of their duties and there is an indication that the contact may have caused – whether directly or indirectly – or contributed to the death or serious injury

This guidance excludes a person being the subject of a DSI where they are acting in the execution of their duties in any Immigration Enforcement (IE) role.

Section 29 of the Police Reform Act defines a serious injury as a:

- fracture
- deep cut
- deep laceration
- injury causing damage to an internal organ or the impairment of any bodily function

In the context of this guidance, Immigration Enforcement is relevant in all references to the police in the above definitions.

Scotland

Section 41B of the Police, Public Order and Criminal Justice (Scotland) Act 2006 describes a 'serious incident involving the police' as a circumstance in or in consequence of which a person has died or has sustained serious injury where both:

- the person, at or before the time of death or serious injury, had contact (directly or indirectly) with a person serving with the police acting in the execution of that person's duties
- there is an indication that the contact may have caused (directly or indirectly) or contributed to the death or serious injury

any other circumstance in or in consequence of which either:

- a person has otherwise sustained a serious injury at a time when the person was being detained or kept in custody by a person serving with the police

- any other circumstance involving the Authority, the Police Service or a person serving with the police as may be specified in regulations made by the Scottish Minister

Northern Ireland

Section 50 of the Police (Northern Ireland) Act 1998 defines serious injury as a:

- fracture
- damage to an internal organ or impairment of bodily function

In contrast to the definition applied in England and Wales, this guidance does not classify injuries such as deep cuts or deep lacerations as meeting the threshold.

Independent oversight

In the event of a DSI occurring, IE may come under significant scrutiny by legal process, the media, or the public in general. The investigatory process is designed to enable a full, fair, and transparent investigation, which facilitates accountability and learning. In these circumstances, a referral will be made to an Independent Investigating Authority (IIA). The referral is mandatory and is not necessarily a reflection on the staff involved in the incident.

In the event of a DSI occurring in-hours (Monday to Friday 7:00am to 5:00pm), National Command and Control Unit (NCCU) will pass the relevant information to the Home Office Professional Standards Unit (PSU), who will inform the IIA for the area in which the DSI took place. In the event of an out-of-hours DSI, NCCU will contact the relevant IIA directly. IIAs are present in England and Wales, Scotland, and Northern Ireland. Guidance on what meets the criteria for a referral varies depending on the area that the DSI occurred in.

The IIAs are:

- Independent Office for Police Conduct (IOPC, England and Wales)
- Police Investigations and Review Commissioner (PIRC, Scotland)
- Police Ombudsman for Northern Ireland (PONI, Northern Ireland)

The referral criteria are governed by either Statutory Instruments or Memorandums of Understanding, agreed between the IIA and the Home Office. PSU, as primary contact point for Independent Oversight referrals, can provide current information on this. Further information can be found at:

- [Independent Office for Police Conduct](#)
- [Police Investigations & Review Commissioner](#)
- [Police Ombudsman for Northern Ireland](#)

Criteria and considerations for IE Post-Incident Procedures

Authority to deploy a Post-Incident Manager (PIM) and initiate IE Post-Incident Procedures (IEPIP) will be decided at grade 7 level. This decision should be made in consultation with a PIM. Any decision made regarding implementation of IEPIP must be recorded with rationale.

IE Post-Incident Procedures will commence in all situations where, following contact with Immigration Enforcement, a DSI occurs. These will ordinarily be subject to a mandatory referral to an Independent Investigating Authority (IIA). Where it is unclear whether the actions or inactions of Immigration Enforcement have caused or contributed to the DSI, it would be prudent to consult with the IIA.

Regarding DSI incidents that have revealed failings in operational command or supervision, or have caused significant danger to officers, staff or the public, consideration must be given to informing the IIA to provide an opportunity for independent scrutiny where appropriate.

If the above criteria are not met, Immigration Enforcement must still consider the proportionate application of these procedures where appropriate. It is of particular importance that a PIM led lessons-learned exercise is undertaken in all cases of 'near miss'.

Referral to an IIA will not always require implementation of IE Post-Incident Procedures.

In the following circumstances IE Post-Incident Procedures must be given serious consideration in every case and implemented unless it is clear that doing so would not add any value in terms of securing evidence or maintaining confidence in the investigation:

- where injuries suffered are or are likely to be life changing
- where injuries suffered are or are likely to be life threatening
- where the circumstances of the DSI require / are likely to require the declaration of a critical incident

In assessing the necessity and / or scale of IE Post-Incident Procedures, the following considerations may be relevant:

- what action, if any, needs to be taken to preserve the scene of the DSI?
- what evidential retrieval can take place?
- do personal initial accounts need to be obtained/provided by staff as soon as possible?
- are other evidential retrieval considerations needed regarding staff, such as personal protective equipment, batons, handcuffs, uniform?
- what is the potential impact of evidence not being retrieved properly or in a timely manner? - could evidence be lost, tampered with, or otherwise become less reliable?

- is there a potential impact on public confidence stemming from a delay in evidential retrieval?
- are there immediate concerns for staff welfare?
- what is the nature and extent of the direct involvement of Immigration Enforcement in the circumstances of the DSI?

Where Immigration Enforcement is notified that an apparent suicide has occurred within two days of an individual's release from custody / detention and Immigration Enforcement have a recognised duty of care, or where the apparent suicide occurs more than 2 days after release and their detention may be relevant to the subsequent death, IE Post-Incident Procedures may be suitable. Decisions in such circumstances must be made with the following considerations in mind:

- is there a causal link between the apparent suicide and contact with Immigration Enforcement?
- has the causal link between the apparent suicide and contact with Immigration Enforcement been broken?
- would evidential value or integrity in an investigation be lost if IE Post-Incident Procedures were not implemented?

The Post-Incident Manager

Where a DSI occurs, a Post-Incident Manager (PIM) must be deployed. The PIM facilitates and manages IE Post-Incident Procedures (IEPIP), ensuring their integrity. A lead PIM has overall decision-making responsibility for IEPIP, with additional PIMs deployed as required, depending on the scale and complexity of the incident.

PIMs will have achieved accreditation through the Post-Incident Manager course, licensed by the College of Policing. They must be formally reaccredited at least every five years, with consideration given to reaccreditation between three and five years, depending on operational exposure.

The role of the PIM is to:

- implement IE Post-Incident Procedures and explain the process to relevant staff
- support and safeguard staff welfare
- consider the need to separate key immigration witnesses (KIWs)
- consider the need to protect the identity of KIWs
- provide timely updates to relevant staff
- facilitate internal and / or independent investigatory processes
- offer pre / post operational guidance
- facilitate lessons learned through debriefing and follow-up actions, including co-ordination and delivery of training
- notify staff of and ensure compliance with non-conferral guidance

The above list is not exhaustive, and the means and method by which the PIM implements IE Post-Incident Procedures will be flexible in relation to the scale, complexity, and operational coordination of the incident.

Official – sensitive: start of section

The information in this section has been removed as it is restricted for internal Home Office use.

Official – sensitive: end of section

Appointed officer

The appointed officer will be an individual who has not held any operational or investigative role in the incident and will act under the direction of the PIM to provide an additional layer of scrutiny around compliance with guidance. They will preferably be an accredited PIM and must fully record their observations and actions.

The role of the appointed officer is to assist the PIM in:

- establishing who the KIWs are
- facilitating access to support services
- reinforcing and ensuring compliance with the conferring guidance
- supervision of KIWs to prevent inappropriate conferring (including reviewing the decision to separate where appropriate)
- ensuring that evidence and any reference material used is secured and made available to investigators
- documenting the process for securing of accounts, including any interruptions, breaks, abstractions, or conferring and ensuring they are time stamped by those making them
- supervision of KIWs whilst initial and detailed accounts are made

The IE Post-Incident Suite

Upon notification of a DSI, the PIM will facilitate the opening of a post-incident suite. The post-incident suite is a dedicated space for staff to return to following a DSI. It may be the nearest suitable IE building, the IE building from which the relevant team departed, another suitable Home Office location, or an alternative appropriate setting approved by grade 7 or above.

The post-incident suite enables IEPIP to be managed in a controlled environment, allowing the PIM to identify KIWs and take appropriate steps to assist them through the IEPIP. Attendance at the IE Post-Incident Suite supports the assessment of staff wellbeing and medical needs, the gathering of accounts and a transparent investigation. The suite provides access to support services and enables staff to maintain contact with next of kin. Staff must not disclose details of the incident during these communications.

The PIM controls access to the suite. Access is based on operational need, not rank or grade, and may include legal, union, welfare, medical and IIA representatives where appropriate. Where an IIA requests access to observe an IEPIP, this must be granted. Access must not include private or privileged areas used for medical examinations or legal, union or confidential welfare consultation.

PIM meet and greet

The PIM must conduct an initial meet and greet at the earliest opportunity with identified KIWs, either virtually or in person. The meet and greet must take place prior to any hot debrief and while staff remain subject to conferring guidance. During this period, any communication relating to the incident must be limited to immediate welfare, operational, or safety-critical concerns or requirements in line with the conferring guidance. Local managers or PSU must not undertake discussions regarding the incident or investigation with identified KIWs before the PIM meet and greet, unless required for the reasons set out above. Where prior contact is unavoidable, a record must be maintained of who was contacted, by whom, when and the nature of the discussion. The PIM must be informed promptly. The PIM will lead the initial engagement with KIWs to ensure consistent messaging and maintain the independence and integrity of witness accounts.

The initial meet and greet must include:

- introductions to the PIM and AO roles and confirmation of those involved in the incident
- conferring guidance delivered while Body-Worn Video is recording
- the rationale and structure of the IEPIP
- confirmation that staff are being engaged as witnesses and not suspects
- explanation of KIW status and rationale
- an explanation of what evidence is to be gathered and why it is required
- details of welfare and support services

Key immigration witnesses

Key immigration witnesses (KIWs) are any staff employed by the Home Office who have been involved in a DSI and are likely to be able to give direct evidence regarding the incident or the circumstances leading up to it.

KIWs may include individuals who:

- were at the scene at the time the incident occurred
- immediately witnessed the incident take place
- were in authority, command, or supervision of anyone involved in the incident, either at the scene or remotely
- acted in a tactical or advisory role, either at the scene or remotely

The above list is not exhaustive, and KIWs may not be immediately identifiable but may become known as the IE Post-Incident Procedure progresses. KIWs will be

identified by the PIM. The PIM must also be notified of individuals who may be suitable as KIWs.

Prior to providing any form of account, KIWs must have their immediate welfare issues considered and addressed, including medical, legal, or union assistance.

Staff who are suspected of conduct, disciplinary or criminal matters are not to be considered KIWs and will not participate in the IE Post-Incident Procedure. Support must be provided to these individuals through the existing line management processes. Conferring guidance must still be issued to the staff member where applicable in these circumstances.

Providing accounts

Where a DSI occurs, there is a requirement for relevant information to be provided by those involved. Accounts will vary depending on the person or body requesting the information. A staged process is implemented to capture information and accounts in a structured manner, allowing for accurate and timely recall of the events which unfolded and the honestly held beliefs of the staff involved. It is recognised that any critical incident, particularly those which may involve DSI, can have significant effects on an individual's ability to relay information effectively, therefore KIWs may be provided with support to complete their account where necessary. Care must be taken to ensure that any support provided does not influence the record or perception of the events. The timing and arrangements for the submission of both personal initial accounts and detailed accounts must be agreed with the IIA.

Stage 1 (Situation report) – Where a DSI occurs, NCCU must be informed as soon as practically possible. The information relayed to them must be sufficient to allow NCCU to notify the duty PIM and initiate the mandatory referral to the IIA, completed in-hours by PSU and out-of-hours by NCCU. The duty PIM will refer the situation report to the grade 7 or above, to enable them to initiate the IEPIP within their authority and discharge their post-incident responsibilities.

Stage 2 (PIM basic facts) – The PIM is responsible for establishing and recording the basic facts regarding the DSI and should come from a source other than the KIW(s) directly involved in the DSI, where practicable. The basic facts will be provided at the nominated IE Post-Incident Suite or remotely (for example, by phone) if the IEPIP is stood up remotely and is to be provided in either written or verbal format, with the original being provided to the IIA and a copy retained by the PIM. The basic facts may be subject to legal advice and must be sufficient to confirm:

- who was at the scene and / or involved in the incident
- briefly describe the role or roles of those at the scene or involved in the incident
- whether any force was used, and if so, by whom

Stage 3 (Personal initial account) - KIWs must provide personal initial accounts subject to legal, medical, or union consultation, and usually before going off shift. Accounts may be disclosed in any legal or coronial proceedings and therefore must be completed on a formal MG11 form or equivalent. Personal initial accounts must include:

- the staff member's identity, with consideration made for the use of pseudonyms where appropriate
- their understanding of the work that they were conducting prior to the event taking place
- their role in this work
- whether they used force, the nature of any force used, and their honestly held belief for doing so

Stage 4 (Detailed accounts / statements) - Detailed accounts are not normally obtained immediately. They can be provided when KIWs involved in the incident are better able to articulate their experience in a clear and detailed format. The detailed account must include a KIW's full and thorough recollection of events, including the information provided in the personal initial account. The PIM has responsibility for determining whether staff may refer to an item of reference material when providing their stage 4 detailed account. This account is usually provided after at least 48 hours, and can also be subject to legal, medical, or union consultation. As with the personal initial account, detailed accounts may be disclosed in legal or coronial proceedings and must be completed on a formal MG11 form or equivalent.

Conferring

The recall of witnesses can be affected by hearing the accounts of others. Arrangements for obtaining all accounts must ensure that this potential is avoided.

Officers and staff should not confer with others before and during making their accounts (whether initial or subsequent detailed accounts). They should also not refer to any material relating to the work that they were undertaking when the DSI occurred unless agreed with the PIM. No reference material should be used whatsoever prior to providing a stage 4 detailed account. It is important that KIWs individually record their honestly held recollection of the circumstances. Therefore, there is no need for them to confer with others about what was in their mind at the time of the incident, or when force was used.

This guidance should not prevent any staff member from relaying operational or safety-critical information to those involved in the ongoing management of the incident or operation.

If, however, in a particular case a need to confer on other issues does arise, then, in order to ensure transparency and maintain public confidence, where some discussion has taken place, staff must document the fact that this has taken place, highlighting:

- time, date, and place where conferring took place
- the issues discussed
- with whom
- the reasons for such discussion

Staff should also disclose that they have conferred to the PIM, who will also document the event.

Body-Worn Video (BWV)

BWV must be activated at the earliest opportunity when an officer identifies or observes the commencement of a DSI. This requirement is in addition to existing Immigration enforcement (IE) BWV policy and guidance and the BWV user guide. Where a critical incident (CI) is declared, the Gold Commander must consider, as part of their initial strategy, whether BWV should be activated. That decision is binding on all staff with BWV capability during the incident.

In the IE post-incident context, BWV should continue recording until the officer arrives at the IE Post-Incident Suite and is instructed by the PIM or their representative to stop recording. This helps ensure subsequent actions, such as first aid provision and scene management, are captured and provides reassurance that inappropriate conferring has not taken place.

If BWV must be switched off, for example for welfare or privacy reasons, or recording stops due to a fault or battery failure, the PIM should be notified and the reason recorded.

Reference material

Reference material may take various forms depending on the incident. This may include BWV footage, incident or decision logs, notes taken at the scene or during the incident, command logs, recordings of communications, or entries from digital pocket notebooks (DPNB), pocket notebooks (PNB), or premises search books (PSB). This list is not exhaustive, and any other material that supports the accurate recording and understanding of the incident should also be considered.

Any reference material, documentation and BWV footage relevant to a DSI following IE contact, will be essential to the subsequent investigation and should be secured and managed appropriately (see Search and seizure).

A KIW should provide the fullest possible personal initial account, based solely on their personal recollection while their memory is most intact, to preserve the integrity of their evidence and avoid contamination from post-event information.

The 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 KIW to view or listen to reference material other than BWV. Such material may assist accurate recall. This should be agreed by the PIM.

BWV is a valuable corroborative tool but must not replace a KIW's account. It offers a limited perspective and should be used alongside other evidence. For this reason, KIWs should not feel obliged to describe everything captured on BWV if they have no independent recollection of it.

Before a KIW is allowed to view their BWV, careful consideration must be given to the circumstances and potential impact on the KIW's memory and recall. This decision and rationale for when a KIW views their BWV must be recorded by the PIM following consultation with the IIA.

Differences may arise between reference material and a KIW's recollection in their personal initial account or detailed account. Depending on whether the KIW views the relevant reference material before or after providing their detailed account, they may be able to explain those differences in that account or, where appropriate, in a subsequent 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
- an appropriately detailed personal initial account should have been previously completed
- 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 where possible
- the reason and timing of the viewing must be included
- the account should clarify, where possible, differences in the personal initial account

Additionally, there may be circumstances where it is appropriate for one KIW to view another person's BWV footage, for example where 2 officers / members of staff were acting in close proximity and one BWV device did not record.

Exhibits

IE has a statutory duty to obtain and preserve evidence in relation to a DSI. On return to the IE Post-Incident Suite, or earlier where appropriate, any personal protective equipment (PPE) or equipment used in, or relevant to, the incident must be secured and preserved to prevent contamination, loss or deterioration.

Evidence must be handled in accordance with the latest Search and seizure guidance. Where practicable, exhibits should be bagged, tagged and secured by trained and authorised individuals who are independent of the incident. This should take place as soon as resources allow to ensure the integrity of the investigation and avoid bias or contamination.

Consideration should be given to photographing or video recording the process, with identities protected where appropriate. Where this is not practicable, a detailed record of the equipment's condition should be made.

An initial investigating officer (IIO) from the force in which the DSI occurred will, in consultation with the IIA, determine what equipment, clothing or forensic evidence should be secured and whether officers or staff should be examined for forensic traces. This decision should be explained in person to the officers or staff involved, and their representatives. To minimise the risk of cross-contamination. Where

practicable, equipment should be secured by a person who has not had contact with the deceased or seriously injured person.

All staff involved in an incident must preserve the condition and integrity of any equipment or evidence in their possession. Evidence should be handled only where necessary and in a manner that prevents loss, damage, alteration or contamination. The PIM or officer coordinating exhibits should ensure exhibits are transferred to the designated exhibits officer in a controlled manner by an appropriately trained person.

Staff must not tamper with or unnecessarily handle evidence. Where handling is required to prevent immediate contamination or loss, only the minimum necessary interaction should occur. Any such handling must be recorded and the PIM notified.

Exhibits relevant to KIW accounts must be secured, with KIW involvement avoided where practicable to maintain evidential independence. Where evidence is stored or handled outside an IE Post-Incident Suite, appropriate authorisation and audit records must be maintained.

Where practicable, BWV downloads and exhibit handling should not be undertaken by the lead PIM or a KIW to maintain separation from the evidence gathering process.

Protecting the identity of KIWs

If there are concerns regarding the safety of KIWs or their families, protection of their identity must be considered and implemented early. The necessity is determined through consultation between the PIM, Gold Commander and NCCU. The PIM is responsible for ensuring that protection is maintained until it is no longer necessary or anonymity is formally granted by a court.

If the protection of KIW identities is undertaken, the PIM must explain to staff the rationale for this happening, and that the protection may be lifted at some stage, for example if a court does not grant anonymity due to a challenge in legal proceedings. If the KIW has any concerns regarding anonymity granted by the court they should consult with a legal professional if they have one, whether this is provided by a union representative or one of their own choosing.

Measures to protect the identity of KIWs include:

- maintaining a protectively marked list of the individuals involved
- using pseudonyms
- notifying NCCU of the need to remove specific details about staff from any communications, including media releases
- securing and restricting access to systems and documents which may contain the details of KIWs
- advising KIWs of their responsibilities surrounding confidentiality
- advising the IIA or PSU that anonymous references have been used, and requesting that they be retained until the KIW has been able to make representations

Where a pseudonym is given to a KIW, the decision and supporting rationale must be recorded in the PIM Log. A written record of the individual's actual name and their pseudonym must be maintained. This process should be managed, and decisions regarding protection of identities considered, ratified and documented by the grade 7 or above who authorised the IEPIP. This section of the PIM Log must be marked as confidential and should be shared with the IIA or PSU as soon as practicable.

Separating KIWs

As soon as it is known that a DSI has occurred, consideration must be made as to the necessity of separating KIWs. This decision will be made in consultation between the PIM and the Gold Commander. The PIM will review and may override any decision to separate staff witnesses or may decide to separate them at a later stage, as appropriate.

KIW's do not need to be separated as a matter of routine. The decision on whether or not to separate them must be based on the consideration of 3 separate questions in turn.

Is separation safe? - Staff should never be separated unless, and until, it is operationally safe to do.

Is separation necessary? - Separation may be necessary to prevent conferring where there are reasonable grounds to suspect that a KIW has committed a criminal offence or misconduct, or where this guidance is not being complied with and the integrity of an investigation may be in jeopardy. Where there are no such reasonable grounds and where there are sufficient control measures in place to prevent inappropriate conferring (such as the presence of a PIM, appointed officer or a representative from the IIA), separation is unlikely to be necessary.

Is separation practical? - If it is operationally safe to do so, and if the grounds for necessity are met, it must be considered whether it is practical to separate staff based on factors such as the logistics of the IE Post-Incident Suite, the number of KIWs who need to be separated, and the resources available to realistically achieve separation.

Safety must be the foremost consideration. Where separation is safe, necessity should then be considered. If both safe and necessary, separation may occur only where it is practical in the operational circumstances. For example, if separating KIWs is practical but not necessary, it is not required. Separation should never occur when it is not safe under the circumstances.

The rationale for any decision to separate or not to separate KIWs must be recorded, together with the measures put in place to prevent conferring.

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Staff wellbeing

The wellbeing needs of key immigration witnesses (KIWs) must be continuously assessed and addressed throughout the course of Immigration Enforcement (IE) Post-Incident Procedures. These needs include:

- first aid and other medical assistance
- access to support services such as legal, union, or medical advice
- providing refreshments
- toilet access
- making phone calls to immediate family members or partners regarding officers' / staff wellbeing and possible retention on duty
- showering and appropriate change of clothes where possible - due regard should be given to any forensic matters to be addressed
- keeping officers and staff updated around developments and how long they may be asked to remain on duty

The Post-Incident Manager (PIM) will engage with a Health and Safety Wellbeing (HSW) Manager, who will provide information regarding what support services can be offered. They will provide access to their existing network of peer support practitioners to direct resources to the post-incident suite when required. Wellbeing Managers may also be directed to function as a point of contact for family liaison purposes.

Any peer support network practitioners will be briefed by the HSW Managers on the importance of non-conferring and, where appropriate, the use of staff pseudonyms and separation.

Support services

Staff from support services must be provided with access to the post-incident suite. The PIM, in conjunction with the Gold Commander, will coordinate the provision of services to provide welfare and legal support to staff, including:

Trauma Risk Management (TRiM)

TRiM managers can offer practical support to colleagues who have dealt with a critical incident or identify when a colleague may be suffering from post-traumatic stress (PTS) and signpost to relevant services if deemed appropriate.

Mental Health First Aider (MHFA)

MHFAs provide early assistance to staff who may be developing a mental health concern. They are trained to spot the signs and symptoms of a range of mental health issues. MHFAs offer initial help on a first aid basis but do not offer prolonged, continuing support as they are not trained to be therapists or counsellors. All MHFA

conversations are strictly confidential unless the individual being supported is deemed to be a risk to themselves or others.

Unions

Staff must be given the opportunity to consult representatives of their union as soon as practicable. Where a KIW is not a member of a union, there is no obligation on those bodies to provide legal advice. Individuals who are not union members will not be entitled to legal advice unless they have made alternative arrangements.

Legal advice

If a KIW wishes to contact and make use of their own legal support, they must be provided with the opportunity to do so.

Paramedics / doctors

Assessment of injuries must only take place by a medical professional. If there is any injury or suspected injury to KIWs, the PIM must be made aware at the first opportunity. They will contact the NHS on either 999 or 111 and provide access for healthcare professionals where necessary. Healthcare professionals must be provided with sufficient information regarding the event for them to undertake an appropriate assessment and examination. Where further information is required, any issues regarding the provision of accounts and the protection of the individual's identity should be considered.

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Debriefing

Debriefing following a death or serious injury (DSI), and while an investigation is ongoing, must always be based on facts. Safety, staff allocation and response, and supervision arrangements will generally be the main considerations. It is not appropriate to address the specific actions of individuals, evidential issues relating to witness accounts or the scene, and post-incident management during such a debrief.

The relevant Independent Investigating Authority (IIA) should be informed of any debrief that takes place, and written records should be made available to them upon request.

Safety critical (hot) debriefing

When a DSI has occurred, a debrief should be considered where potentially time-critical safety issues have been identified. A debrief in this scenario will only be conducted by the Post-Incident Manager (PIM). Where such a debrief is being considered prior to the provision of key immigration witness (KIW) accounts, the IIA should be consulted. Prior to officers / staff finishing duty, the PIM must also consider if there are any outstanding issues that need to be addressed. All issues will be recorded in the PIM log.

Organisational learning (cold) debriefing

It may be appropriate to undertake an organisational learning debrief, where the criteria for post-incident investigation have been met and an independent investigation has commenced. Where conducted in the context of a post-incident investigation, careful facilitation and identified terms of reference are required to ensure that the matters discussed do not compromise the ongoing investigation. Such a debrief must only take place after providing detailed accounts or evidential statements to the IIA; and where there is an indication that, having considered available evidence, there is no suggestion of criminal action or misconduct on the part of anyone attending the debrief. Where such criminal acts or misconduct have been identified, this must be considered in determining whether a debrief is appropriate. Legal advice should be obtained as appropriate. The IIA should be informed that an organisational learning debrief is being considered and they should be provided with a debrief agenda which outlines the terms of reference. Any observations or objections must be documented for consideration when a decision is made on whether such a debrief is appropriate.

Any debrief that is undertaken must be conducted by a trained PIM, or a staff member who has conducted the appropriate debrief training who is supported by a PIM. The debriefer must not have had an active role in the incident related to the DSI.

A record of those attending the debrief and a suitable summary of the discussions must be maintained. This summary should include areas of possible good practice and areas for development, which will support the organisational learning and

improvement. If staff have had their identity protected, the debriefing process must not undermine this.

The process of structured debriefing can be found in Critical incident management guidance.

Disclosure

All original documents and statements generated as a result of an incident must be made available to the IIA at the earliest opportunity. All material obtained that may be relevant to the investigation must be retained for disclosure purposes.

Media releases

All media related matters should be referred to the Home Office Press Office. The IIA should be informed as appropriate regarding any media developments. Staff who may be approached by any member of the press should decline to make a comment. It should be noted that staff should not make a 'no comment' statement. Staff must not provide any member of the media or the wider public with contact details for the Press Office, National Command and Control Unit (NCCU), or any other Home Office department.

Progress of investigation

The Police Reform Act 2002 (England and Wales) defines 'interested persons' and requires that all interested persons should be kept informed of the progress of the investigation. Where the investigation is being undertaken by an IIA, this will be their responsibility.

The PIM will put procedures in place to ensure that regular updates are provided. Depending on the scale and complexity of the investigation, a PIM may be allocated on a full or part time basis to facilitate this.

While KIWs cannot be deemed 'interested persons,' procedures for providing updates may include a meeting with staff involved in an incident, as soon as practicable after it has occurred. In any event staff and their representatives should be provided with terms of reference for the investigation within 48 hours.

It will be normal for the IIA to brief IE staff concerned on the status of the investigation, usually no later than 28 days after the incident or, by exception, following any significant changes.

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