



Op Hampshire

Statement Structure

Good evidence takes time and statements can make or break a case as they are often the only evidence available. Taking the time to get the statement right means that we have the best chance of securing a successful outcome at court.

You should complete original notes to justify your actions as they are important evidentially, but they can be relatively brief. The statement should be more detailed and it may be more suitable for a colleague to take the time to capture the detail, including the impact it has had on you – the victim.

In this document we will look at the structure of a good statement.

Note: This 5 Part (+1) Statement Structure for Assaults on Emergency Workers is based on the 5 Part Statement Structure that forms part of MPS training around completion of statements (MG11s).

The five part statement structure provides detailed guidance for officers and staff on completing statements specific to assaults and verbal hate crime on officers and staff.

Five part structure

Part 1 – Summary and Opening

Part 2 – Descriptions of participants

Part 3 – Setting the scene

Part 4 – Full chronological account of the incident

Part 5 – Closure and short Victim Personal Statement VPS

Note: Separate guidance is available the composition of a detailed VPS

Part 1 – Summary and Opening

This introduces what the statement is about. It will be very brief, one or two sentences only.

For example:

This statement refers to the day I was assaulted in the Custody Suite at NEW TOWN Police Station whilst acting in the exercise of my functions as an emergency worker in my role as a detention officer.

Part 2 – Participants

Introduce the main players and their role in the incident and how they are known to you or the victim. You can detail how you have dealt with the suspect over the time you have known them. This would be evidenced by previous arrests, stop and search, reported crimes, PNC checks etc.

Part 3 – Setting the scene

This is an important element as it helps provide context. Do not assume that the reader will automatically grasp the mood, setting the scene is important and helps the reader with perspective. This is essential if the environment provided additional risks, limited your ability to or forced you to take certain action. It is also important to explain if you had limited room to manoeuvre or escape or whether there were environmental risks or hazardous, dangerous objects to hand.

This not only paints a picture of the scene but can also show how the environment increased the vulnerability of, and risk to, the assaulted Police Officer/Staff. Consider including factors such as lighting, weather, noise, the public and crowd dynamics.

For example:

The courtyard to the block measures approximately 4 meters square. It is poorly lit by one single security lamp. The space is enclosed on 3 sides by brick walls with access provided by a single metal gate, next to which is a refuse bin. The bin at this time was overflowing and could see that there were glass bottles and lying around. The suspect was positioned between myself and the gate.

or

New Town Custody Suite is located on the ground floor of New Town Police Station. Access to the suite is through security gates leading up to the main vehicle yard then a door from the yard into the secure area is a holding area for arrested persons prior to being taken through to the main custody area which is accessed through a secure metal gate. The outer door from the yard locks behind you once you are in the holding area until someone within the custody area opens it. You are essentially trapped within the holding area unless someone else comes in from the outside or the custody staff let you in to the main custody suite.

Part 4 – Full chronological account of the incident

In this part, a detailed chronological account of what has occurred is given. It is preferable in many cases for the statement to be taken by a person who is independent of the incident using their training and skills to extract the relevant facts and points to prove. We need to consider the effect of perceptual distortion where the victim's recollection of the facts may be abnormally affected by the trauma of the situation they were in.

It is important within this part of the statement that you clearly describe how the assaulted victim was performing their role as an emergency worker. This may sound obvious but consider the legitimacy or purpose of the interaction. Provide evidence of how the victim was identifiable as a police officer or member of staff such as uniform being worn. If the Officer/Staff is in plain clothes, were there any identifiable markings or badges on display.

Explain what the victim's duties were. Detail why they were at the location. Were they patrolling the area due to intelligence or previous incidents. What kind of incidents?

If the Officer/Staff was just passing through an area when the incident leading up to the assault took place then describe why they interacted with the suspect. Were they responding to a call from the public? If so, describe it.

Consider any verbal interaction with the suspect such as direct speech confirming they were a Police Officer/Staff. Were clear commands given? Did the suspect say or shout anything during the incident that indicates they knew they were dealing with a Police Officer/Staff?

Saying that the suspect was acting suspiciously is not enough. What was the suspect doing that aroused suspicion? Describe the actions of the suspect, answers to Q&A's, demeanour, direct speech etc.

Describe what the officer was thinking before the assault. Consider the using the national decision model as a guide. What were their options? If they took pre-emptive action explain why and important explain why other options were not viable or taken. Was de-escalation attempted? One thing that is useful to explain is the fact that as a police officer you were obligated by duty to take action or intervene. Walking away is not an option in the majority of scenarios for us.

Describe the assault in as much detail as possible. Think about the points to prove and how the action of the suspect was a deliberate or intentional act. For example if it is an assault by spitting, describe any noises from the throat or nose, head movements and whether it was clear and deliberate. Describe in detail how the officer tried to protect or defend themselves. Describe the physical impact or pain felt.

Fully describe any injury received because of the assault. Some of these injuries will not be visible at the point the statement is taken and may never be visible but make ensure any mobility issues, pain, stiffness is covered. You should also include a paragraph on the impact the assault has had on the victim.

Include what the Officer's emotional/mental wellbeing was during and immediately after the assault. This will be an initial victim personal statement which should be re-visited in more detail later in a separate more comprehensive Victim Personal Statement VPS (see VPS document).

Part 5 - Closure

In this part, full detailed descriptions of the people mentioned are given, starting with the suspect.

Explain how the suspect was identified or who whether any witnesses would recognise the suspect again. Also include continuity of the suspect under observation in order to negate identification issues. Consider the stated case of R v Turnbull 1976 and the ADVOKATE mnemonic.

- Amount of time under observation.
- Distance from the eyewitness to the person/ incident.

- Visibility – Including time of day, street lighting, etc.
- Obstructions of view – anything getting in the way of the witness's view.
- Known or seen before – did the witness know, or had they seen, the alleged perpetrator before?
- Any reason to remember – did the witness know, or had they seen, the alleged perpetrator before?
- Time lapse – how long since the witness last saw the alleged perpetrator & duration of incident.
- Error or material discrepancies.

In this section you can include consent and authority to exercise powers, property identification and exhibits here.

There is lots more information and documentation around Operation Hampshire available our website: oscarkilo.org.uk/OpHampshire



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