

Continuation of Statement of Andrew DIGBY

was made, was justified and proportionate under both Section 117 PACE 1984 and Section 3 of the Criminal Law Act 1967. The information given to me was that he had attempted to escape police previously on another matter and he had threatened to throw bricks at police and that he had armed himself with a kitchen knife. I therefore considered that the male posed a potential threat to myself, other officers and members of the public.. These laws state:

"Where any provision of this Act -

(a) confers a power on a constable; AND

(b) does not provide that the power may only be exercised with the consent of some person, other than a police officer,

the officer may use reasonable force, if necessary, in the exercise of the power." (Section 117 of the Police and Criminal Evidence Act 1984);

&

"A person may use such force as is reasonable in the circumstances in the prevention of crime, or in effecting or assisting in the lawful arrest of offenders or suspected offenders or of persons unlawfully at large." (Section 3 of the CLA 1967)

Deployment of the dog to search for any suspects was appropriate in the circumstances and was fully in accordance with the Association of Chief Police Officer (ACPO) guidelines on the deployment of police dogs which states:

"A dog handler will justify direct deployment utilising the Officer Safety Model and should seek to indicate that their perception is that:

- 1. The direct deployment of a Police Dog is necessary to prevent escalation at an incident and such deployment is likely to assist in maintaining the safety of officers and innocent persons, or evidence will be lost; or*

The offender is unlawfully at large." (ACPO Manual of Guidance).

I took PD Linpol Tango from the van and went to the nearest access point into the back gardens via a laundry drying area. I gave a loud and clear challenge for the male to make himself known to police. Receiving no reply I gave final warning and put my dog over the fence into a back garden. Immediately I saw the dog go to the bottom left of the garden and put his paws up on the left hand fence panel, his head up. I then noticed the helicopter arrive overhead and commence searching. I put the dog over the left hand fence panel and I saw the dog go to

Signature:

Signature witnessed by: