

IN THE NOTTINGHAM CITY AND NOTTINGHAMSHIRE CORONERS COURT
BEFORE HM ASSISTANT CORONER ALEXANDRA POUNTNEY
IN THE INQUEST TOUCHING THE DEATH OF

KAINE REGAN FLETCHER
(Referred to as Kaine, at the request of his family)
DECEASED

CONCLUSION OF THE JURY –
BOX 4 QUESTIONNAIRE

Please consider the following issues and provide your answers on the balance of probabilities:

Issues relating to 2 July 2022

1. Whether there were shortcomings or failures in the decision not to detain Kaine under s.136 Mental Health Act 1983 on 2 July 2022

In considering this issue, please specifically consider:
 - (a) Any shortcomings or failures of the police
 - (b) Any shortcomings of failures of the mental health trust.
2. Whether the guidance given to the Street Triage Team to conduct a mental health state assessment was adequate
3. Whether Kaine was exhibiting signs and symptoms of Acute Behavioural Disorder on 2 July 2022
4. If you consider that Kaine was exhibiting symptoms suggestive of Acute Behavioural Disorder on 2 July 2022, whether there were any shortcomings or failures in identifying these symptoms.

5. If you consider that there were shortcomings or failures in relation to any of the issues above, did these shortcomings or failures lead to a missed opportunity for Kaine to undergo a Mental Health Act Assessment.
6. If you consider that there were shortcomings or failures which led to a missed opportunity for Kaine to undergo a Mental Health Act Assessment, do you consider that this more than minimally contributed to his death?
7. Whether there were shortcomings or failures in the decision of EMAS not to convey Kaine to the emergency department on 2 July 2022 as a result of his observations

Issues relating to 3 July 2022

8. Whether there were any shortcomings or failures in the decision and exercising of the police powers to detain Kaine s.136 Mental Health Act 1983 on 3 July 2022

In considering this issue, please specifically consider:

- (a) The timing of the detention;
 - (b) What PC Bodle said to Kaine when she detained him;
 - (c) How the police spoke to Kaine when restraining him;
 - (d) The decision not to call an ambulance at the point of detention;
 - (e) The decision to use force to compel Kaine to get into a police car;
 - (f) The use of handcuffs and leg restraints;
 - (g) The decision to try to restrain Kaine in the back of the police car;
 - (h) The amount of force used and the circumstances in which, the police used force against Kaine, including striking him with fists, knees and a baton;
 - (i) The restraint of Kaine on the ground before being put into the police van;
 - (j) The use(s) of force to compel Kaine to get into a police van.
9. Whether Kaine was exhibiting signs and symptoms of Acute Behavioural Disorder on 3rd July 2022:
 - (i) At 2:05 a.m. (when PC Bodle and PC Thompson first met Kaine)
 - (ii) At 2:34 a.m. (when he was detained)
 - (iii) At 2:43 a.m. (when taken out of the car);
 - (iv) At 2:49 a.m. (when put into the van);
 - (v) At 2:56 a.m. (when removed from the van);
 - (vi) At 3.03 a.m. (when ambulance called).

10. Depending on what you have said in relation to whether you consider that Kaine was exhibiting symptoms of Acute Behavioural Disorder on 3 July 2022, whether there were any shortcomings or failures in identifying these symptoms and responding to them.
11. That in failing to call an ambulance at the point of detention, the police were in breach of a formal policy and their own working standards for s.136 detention
12. Whether in failing to call an ambulance the police officers on scene knew that they were in breach of a formal policy and their own working standards for s.136 detention

If the answer to this question is negative in its terms (*i.e.* the police officers did not know that they were in breach of policy) then please go on to consider:

- (a) If the police officers had known about the policy and working standards, is it likely that they would have called an ambulance
 - (b) Why the police officers did not know about the policy and working standards.
You may wish to consider whether this information was adequately communicated to officers.
13. If you consider that there were shortcomings or failures in relation to any of the issues above, did these shortcomings or failures lead to a missed opportunity for Kaine to be transported to hospital by ambulance on 3 July 2022
 14. If you consider that there were shortcomings or failures which led to a missed opportunity for Kaine to be transported to hospital by ambulance on 3 July 2022, do you consider that it possible that they more than minimally contributed to his death?