

SPA Complaints & Conduct Committee

2024/25 – Quarter 2

1 July – 30 September 2024



Executive Summary

Complaint Handling Reviews

In Q2 2024/25 PIRC received 56 applications for a Complaint Handling Review (CHR) for cases involving Police Scotland.

PSD provided the initial case papers well within the agreed 15 working days with , on average, papers being issued within 4.9 working days.

However, there was still a significant proportion of cases (64%) that required further information requests due to the case papers being incomplete.

Overall, 64% of complaints reviewed in Q2 were deemed to be handled to a reasonable standard.

Noticeable increase in recommendations relating to insufficient complaint enquiry (52%).

Investigations

Significant quarterly increases in referrals involving Police Scotland have been noted in Q2..

Incapacitant Spray saw the highest quarterly volume increase (n=15) in Q2 and remains the most common referral type. The Q2 quarter end is 91. The annual total in 2023/24 was 138.

The proportion of the 148 Police Scotland referrals made in Q2 that PIRC has assessed as requiring further investigation is 3.4%

The investigations included the discharge of Tasers, the discharge of a firearm and an allegation of serious assault following police contact.

PIRC received responses to four recommendations submitted to Police Scotland and issued one new recommendation. No recommendations remain outstanding.

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Introduction

This is the second submission of the Police Investigation and Review Commissioner to the SPA Complaints and Conduct Committee for 2024/25.

This is the second year where revised recording standards and counting rules have been in place. PIRC introduced these standards and rules on 1st April 2023, following an extensive Performance Data Review and consultation.

The counting rules aim to increase public confidence in police through scrutiny of their actions and ensuring any lessons are learned to improve the standard of service provided by the Police in Scotland.

This report provides details in relation to the interaction between Police Scotland and the PIRC to increase public confidence in policing by ensuring learning recommendations are identified, issued and lead to positive change in police practice.

Our Role

The role of the Police Investigations & Review Commissioner (PIRC) was established in 2013 at the same time as the single Police Service of Scotland.

The Commissioner, who is appointed by Scottish Ministers, is independent of the police. Her role is to independently investigate incidents involving the police and independently review the way the police handle complaints from the public.

The PIRC ensures that the SPA and the Chief Constable maintain a suitable system for handling complaints and issues statutory guidance where appropriate.



We can investigate:

- Incidents involving the police, referred by COPFS. These may include deaths in custody and allegations of criminality made about police officers or members of Police staff.
- Serious incidents involving the police, at the request of the Chief Constable or SPA. Reasons for requests for investigations from the Chief Constable may include the serious injury of a person in police custody, the death or serious injury of a person following contact with the police or the use of firearms by police officers.
- Allegations of misconduct by senior police officers of the rank of Assistant Chief Constable (ACC) and above, if requested by the SPA.
- Other matters relating to the SPA or the Police Service where the Commissioner considers it in the public interest.
- At the conclusion of an investigation, the Commissioner can recommend learning and improvements to the way the police operate and deliver services to the public in Scotland.



We can review:

- How the police in Scotland handle complaints made to them by the public. The purpose of the Complaint Handling Review (CHR) process is to determine whether or not the complaint was handled to a reasonable standard by the police.
- At the conclusion of a CHR, the Commissioner can make recommendations, identify learning points, or direct the policing body to reconsider their response.



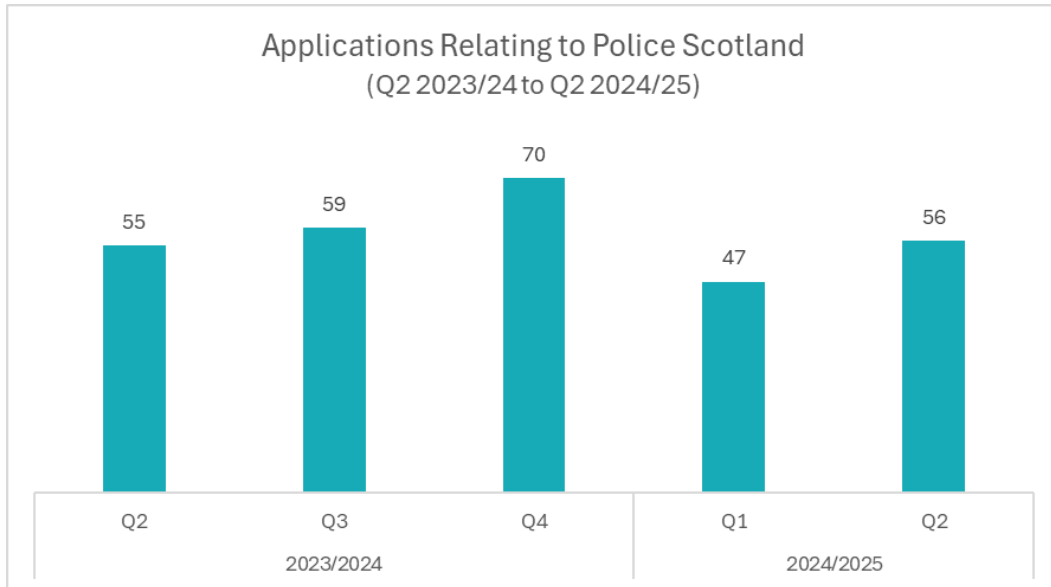
We cannot review:

- Complaints which have not been considered and adjudicated upon by the policing body.
- Complaints of criminality.
- Complaints made by individuals currently serving, or who formerly served, with the police about the terms and conditions of their service.



Complaint Handling Reviews

Applications



1. Source: PIRC Centurion System

In Q2 2024/25 PIRC received 56 applications for a Complaint Handling Review (CHR) for cases involving Police Scotland, an increase of 9 applications (+19%) on the previous quarter and an increase of one on the preceding year's Q2 applications.

The significant backlog of unallocated relevant complaints recently highlighted by the PSD and the associated reduction in concluded complaint cases is likely to be affecting the number of CHR applications submitted to PIRC.

The PIRC will continue to monitor Police Scotland's efforts to reduce this backlog of complaint cases, to ensure that the PIRC is fully prepared to deal with a potential significant increase in CHR applications.

Key Performance Indicators

- 90% of CHR applications to undergo SRO assessment and decision to be taken within 5 working days of receipt of the relevant police case papers.
 - Q2 2024/25 - 100% (YTD – 99%)
- 80% of CHRs including discretionary decisions (minus major cases) to be completed within 90 working days, following receipt of the relevant police case papers.
 - Q2 2024/25 – 98% (YTD – 98%)



Timescales

Provision of Initial Case Papers

As part of the PIRC's Performance Data Review, it has been agreed that Police Scotland will now aim to provide all complaint case papers to the PIRC within 15 working days of request. This was previously 14 calendar days. This approach standardises the process for the provision of case papers across the Reviews and Investigations functions within PIRC.

In May 2024, PSD and PIRC started to exchange information via Egress file sharing system to ensure efficient and secure provision of police complaint files.

In Q2, there were 53 cases where papers were requested from Police Scotland. Requests were compiled within timescale in 50 of these cases (94%). Background papers were provided, on average, within 4.9 working days.

Whilst the proportion of papers being provided within the agreed timescale has decreased slightly from the previous quarter (Q1 = 100%), Police Scotland has maintained a high level of compliance in this quarter to allow reviews to proceed within a reasonable timeframe.

However, it is worth noting that PSD do not utilise the full 15 days. Internal analysis has found that during the first six months of this financial year, the PIRC had to request additional information in 64% of all CHR cases. The additional information requests often relate to information that ought to have been included in the complaint file provided to the PIRC.

Therefore, the PIRC encourages PSD to use the full 15 working days to ensure that the complaint files provided contain all the relevant information, necessary for the Complaint Handling Reviews to proceed.

Information Requests During Review

On receipt of background papers, the Reviews team will undertake a detailed assessment of the police complaint file and identify any information or documentation that was relied upon or referred to in the police complaint response but not included in the papers initially provided to the PIRC.

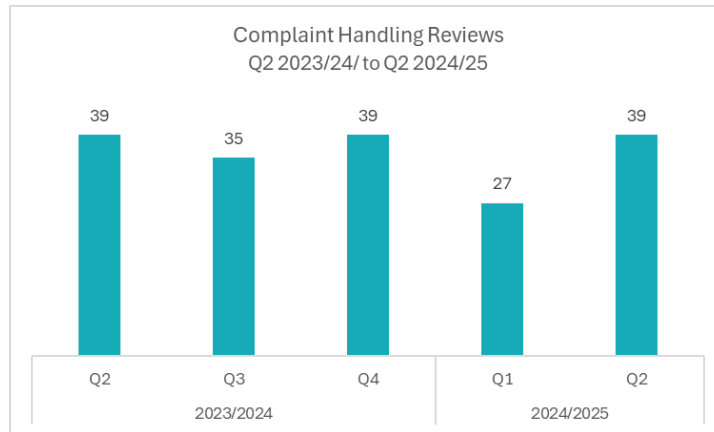
In these circumstances, a further information request is made, with Police Scotland aiming to provide the further information requested within 15 working days.

During Q2 2024/25, PIRC made 33 requests to Police Scotland as part of an ongoing review. On average, requests were fulfilled within 10 working days of receipt of the request. This is in line with the timescales agreed with Police Scotland.

Analysis of the information requested during Q1 and Q2 demonstrated that the most common types of information routinely missing from complaint files are: incident reports (58%), iVPD entries (50%), witness statements (29%), call recordings (19%) and subject officer(s) accounts (11%) .



Complaint Handling Review Reports Cases completed – National.



2. Source: PIRC Centurion System

PIRC issued 39 Complaint Handling Reviews to Police Scotland in Q2 2024/25, an increase of 12 compared to the previous quarter and the same relative to the same quarter in 2023/24.

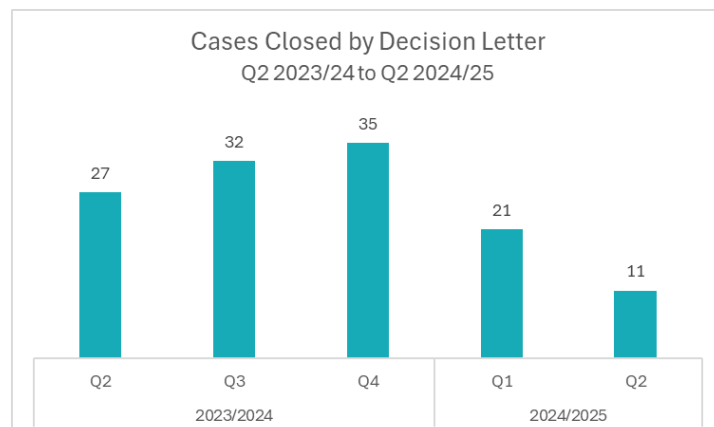
The quarterly increase brings the number of CHRs completed in Q2 in line with recent quarters, with the exception of a unusually low level in Q1. This coincided with a decrease in applications for CHRs being received by the PIRC for that quarter.

Cases closed - Decisions.

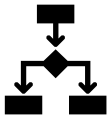
The change to the business counting rules means that the PIRC now report and record the number of applications that were the subject of a discretionary decision. This includes applications where, following an assessment, the PIRC is satisfied that Police Scotland has taken reasonable steps to address a complaint. Consequently, the PIRC will not proceed with a review on the grounds of proportionality.

The PIRC recognise that complaints that we do not review on proportionality grounds represents an opportunity for PSD to identify good complaint handling practice. To assist in this regard, the PIRC now send PSD a detailed letter explaining why discretion was exercised, so that good practice can be shared with those involved in complaint handling.

It is important to highlight that applications and heads of complaint that did not progress on proportionality grounds would otherwise be complaints that were likely to be reasonably handled had they been taken to review.

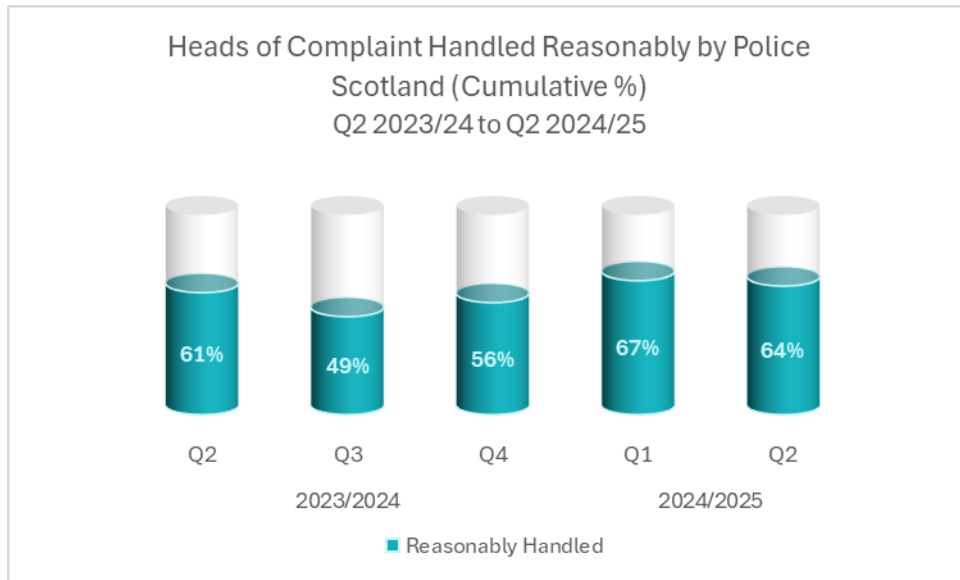


3. Source: PIRC Centurion System



Outcome

Reasonable v Not Reasonable



4. Source: PIRC Reviews Quarterly Performance Reports

The proportion of Heads of Complaints assessed to have been handled reasonably by Police Scotland in Q2 was 64%. Compared to level in the previous quarter, this represents a 3% decrease but a 3% increase on the same period in 2023/2024.

CHR Disposal Outcomes

- **Recommendations** - these are made in the CHR reports where we identify deficiencies or shortcomings in the police complaint handling. Our recommendations may, for example, ask the policing body to undertake further enquiries, to re-assess the available information, to issue an apology, to re-visit a specific policy/procedure or issue the complainer with further response.
- **Learning Points** - PIRC is committed to promoting a culture of learning and improvement. During our reviews, we seek to identify and capture organisational and individual learning opportunities.
- **Reconsideration Directions** - reconsideration directions are used in cases where significant complaint handling failings have been identified during a review. It requires someone previously unconnected with the complaint enquiry to reconsider the complaint.
- **Discretionary Decisions** – Not every CHR application is progressed to a Complaint Handling Review. The Commissioner may carry out a CHR where it is deemed fair, reasonable, proportionate and in the public interest to do so.

In cases where applications are not taken forward, the Commissioner will issue a discretionary decision letter, having considered the application and found that it does not merit a Complaint Handling Review.

A total of 11 decision letters were issued by PIRC to Police Scotland up to the end of Q2 2024/25.

In most cases, this means that the PIRC has deemed Police Scotland to have carried out a proportionate enquiry into these complaints. Accordingly, as the police appeared to have already taken reasonable steps to respond and address the complaint, the PIRC has determined there would be no added value to be gained from reviewing the handling of the complaints.

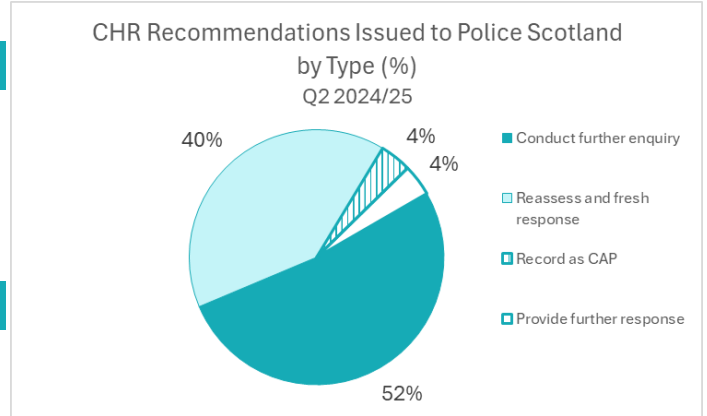
It can be reasonably assessed that - had these applications proceeded to a complaint handling review - a finding of 'reasonably handled' would follow.



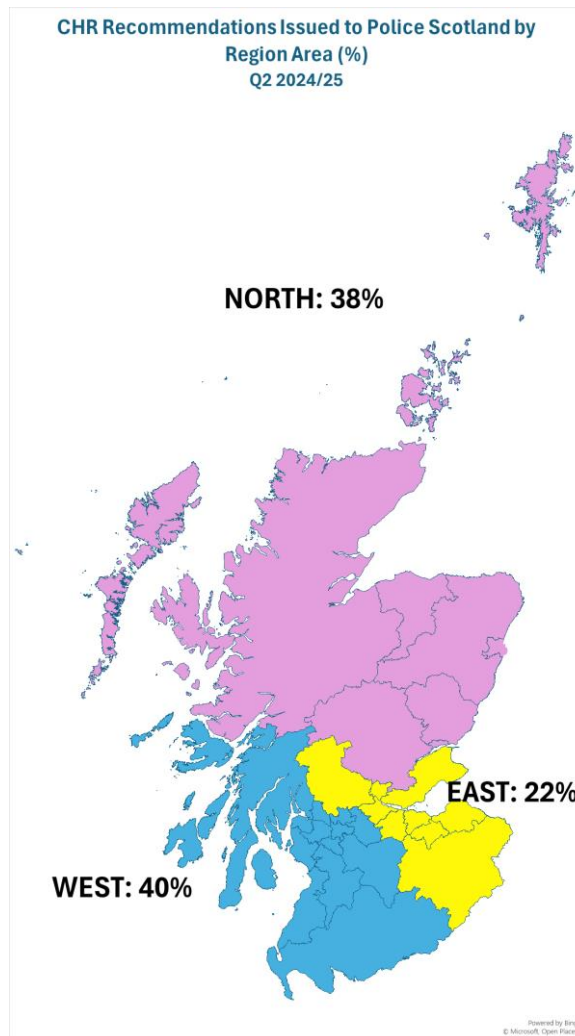
Recommendations Made

In Q2 2024/25 PIRC made 50 recommendations within 25 CHRs to Police Scotland. These are broken down by Recommendation Type and area below:

Recommendation Type	2024/25 Q2
Conduct further enquiry	26
Reassess and fresh response	20
Record as CAP	2
Provide further response	2
Total	50



5. Source: PIRC Centurion System



6. Data source: PIRC Centurion System
Map Source: Powered by Bing © Microsoft, Open Places



Learning Points Identified

The PIRC identifies opportunities for organisational or individual learning and improvement as part of the Complaint Handling Review process. These learning opportunities are highlighted to the police as Learning Points within the CHR reports. All our Learning Points were designed to enhance PSD compliance with our Statutory Guidance and Police Scotland's Complaints About Police Standard Operating Procedures.

The Learning Points are also opportunities for PIRC to highlight examples of good complaint handling practices.

During Q2 we identified 23 Learning Points for Police Scotland arising from Complaint Handling Reviews and Discretionary Decisions. The vast majority of Learning Points identified in Q2 related to improvement opportunities for individual complaint handlers within PSD. We identified three main themes within cases where learning was identified:

- Lack of sufficient detail in final response letters where a decision is made not to progress complaint to a full enquiry and Non-Investigation provisions are relied upon instead.
- Reminding PSD complaint handlers about importance of keeping full auditable records of all enquiries undertaken during the complaints process, ensuring that this information is retained in the complaint file and is readily available for a review.
- Reminding Police Scotland's complaint handlers to ensure that the final response letters are correctly dated and signed by the officer responding to the complaints.



Stakeholder Engagement

During Q2 2024/2025, the Review Team continued to engage with the Professional Standards Department of Police Scotland.

PSD/PIRC Liaison Event

In January 2024, the PIRC hosted a liaison event with Police Scotland Professional Standards Department. This was designed to foster and promote good working relationships, improve communication, increase clarity and mutual understanding around existing policies and procedures and provide an opportunity to identify areas for improvement.

The event was attended by over 70 delegates, including representatives from Reviews and Investigations teams from the PIRC, PSD Criminal and Non-Criminal teams, including NCARU and the SPA Complaints and Conduct team.

As a direct result, the PIRC in collaboration with PSD has organised a series of Practitioners Forums during 2024/2025. The aim of these events is to provide a platform for constructive engagement for PSD complaint practitioners and PIRC.

Discussions are ongoing with a view to holding a further PSD/PIRC Liaison event in December 2024.

Practitioners Forum

Following the PSD/PIRC Liaison Event, the PIRC Reviews team in collaboration with PSD established a series of Practitioners Forums to take place during 2024/2025. These events will be held quarterly, with separate forums organised for each PSD region. The PIRC provide detailed feedback to PSD teams on the findings and themes arising out of CHR reports originating from the designated PSD region. The events also provide an opportunity for PSD complaint handlers to raise any topical issues or to request additional guidance on complaint-related matters arising in their respective regions. These events were held in April and August 2024, with a further series of Practitioners Forums scheduled to take place in November 2024.

PSD Induction Training

In October 2023, PSD started a new comprehensive induction training course for those recently appointed to work within PSD. Over the course of four days, both Reviews and Investigations teams are invited to deliver training inputs and presentations, covering complaint handling best practice, CHR process, statutory referrals, and PIRC investigations.

This course now runs every 6 months. The second PSD Induction Training course took place at the beginning of April 2024. The next PSD Induction Training course is scheduled to take place 12-15 November 2024. As part of the implementation of NCARU audit recommendations, a much more comprehensive input has been developed by the NCARU staff to cover accurate recording and initial assessment and categorisation of relevant complaints (Stages 1 & 2 of six-stage process). The NCARU input will form part of the future PSD Induction Training course.

National Complaint Handling Development Group (NCHDG)

The newly reformed NCHDG has resumed its work, with meetings held in December 2023, March 2024, June 2024 and September 2024. The group, chaired by Superintendent Kate Stephen, consists of representatives from PSD involved in complaint handling, PIRC, and the SPA.

This group is focused primarily on practical complaint-handling trends/themes. The group is also used as the forum to discuss any recommendations arising from the PIRC/SPA NCARU Audit and PIRC 6-Stage Audit. At the last meeting, the group benefited from an input from a representative from PONI, learning about the procedures and practices adopted by the Police Ombudsman for Northern Ireland when dealing with complaints from members of the public.

PIRC Audit – 6-Stage Process

In line with recommendation 7 of the DEA report, the PIRC has undertaken an audit of Police Scotland's 6-stage complaints process. The final report was published by the Commissioner on 10 July 2024. The report made ten recommendations designed to improve and strengthen the existing Police Scotland's complaint handling procedures. PSD appointed a Chief Inspector to oversee and progress implementation of recommendations. It is anticipated that progress will be regularly discussed at NCHDG meetings.

PIRC/SPA Joint Audit – NCARU

PIRC Reviews team have been liaising with PSD in relation to the implementation of the eight recommendations made in this audit report. Significant progress has been made by PSD to progress implementation of recommendations and work is being undertaken to collate the evidence of implementation to be presented for consideration by the PIRC and the SPA.



Investigations

In terms of Section 33A(c) of the Police, Public Order and Criminal Justice (Scotland) Act 2006 (as amended) and Regulation 3 of the Police Investigations and Review Commissioner (Investigations Procedure, Serious Incidents and Specified Weapons) Regulations 2013 (the 2013 Regulations), **the Chief Constable must request the Commissioner to investigate any serious incident¹ involving the police which is a circumstance involving, (a) a constable; or (b) a member of the police staff.**

On receipt of a referral from Police Scotland, PIRC undertake an assessment of the referral and decide whether to investigate or not. Assessments may include examining CCTV, Body Worn Video, other video, witness statements, command & control logs, telephone calls, Airwave radio transmissions, briefing papers or other material.

Referrals

Following a Performance Data Review in October 2022, the PIRC, as part of this review, revised referral incident types that the PIRC deal with, to streamline and standardise referral types.

Referrals from Police Scotland are categorised in the following terms:

- Death Following Police Contact
- Serious Injury Following Police Contact
- Serious Injury in Police Custody
- Firearms Discharged
- Firearms Presented
- Taser
- Incapacitant Spray²

¹ A “serious incident involving the police” which the Commissioner may investigate in pursuance of paragraph (c) of section 33A is a circumstance in or in consequence of which a person has died or has sustained serious injury where (i) 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; and (ii) there is an indication that the contact may have caused (directly or indirectly) or contributed to the death or serious injury; (b) any other circumstance in or in consequence of which (i) 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; or (ii) a person serving with the police has used a firearm or any other weapon of such description as the Scottish Ministers may by regulations specify.

² The overall referral figures quoted by PIRC are not comparable to those reported by PSOS. This is due to the inclusion of referrals involving incapacitant spray (which are not managed by PSD, therefore not cited) as well as the PSOS inclusion of Crown Directed matters, which are excluded in PIRC figures.

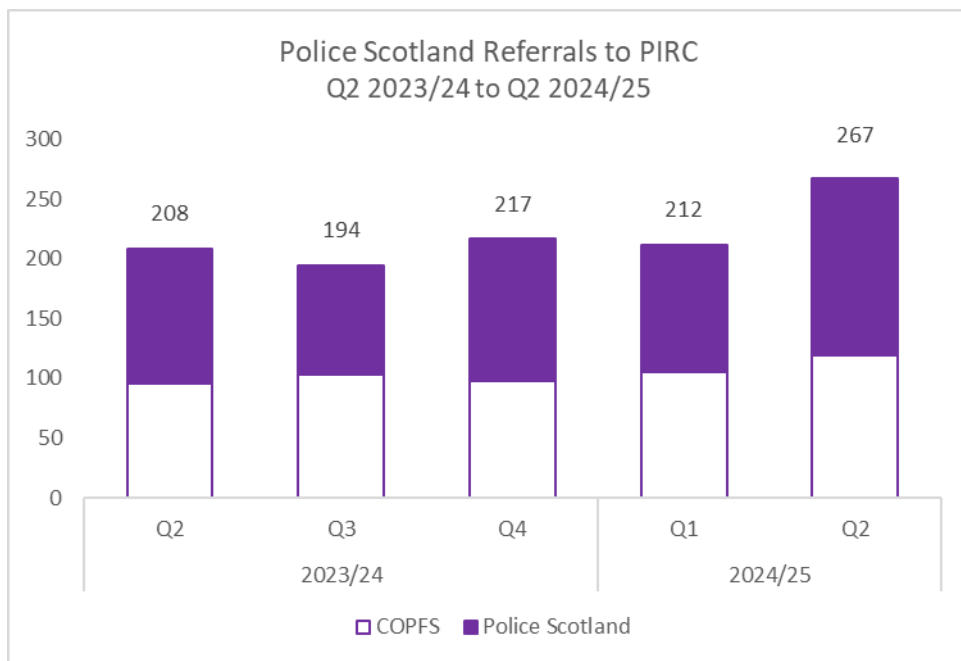
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In addition, under Section 33A(b) of the 2006 Act, COPFS may instruct PIRC to investigate:

- Death in Custody
- Death Following Police Contact
- Other Criminal Matters

COPFS investigation statistics are not included in this report, as they related to live ongoing criminal investigations at the direction of COPFS.

(Note: Since 4 October 2021, COPFS has a standing instruction resulting from the Dame Elish Angiolini Independent Review of Complaints Handling, Investigations and Misconduct issues (Recommendation 47), which instructs that all on duty allegations of assault made against police officers and police staff are referred onwards from Police Scotland to PIRC for assessment and where appropriate investigation.



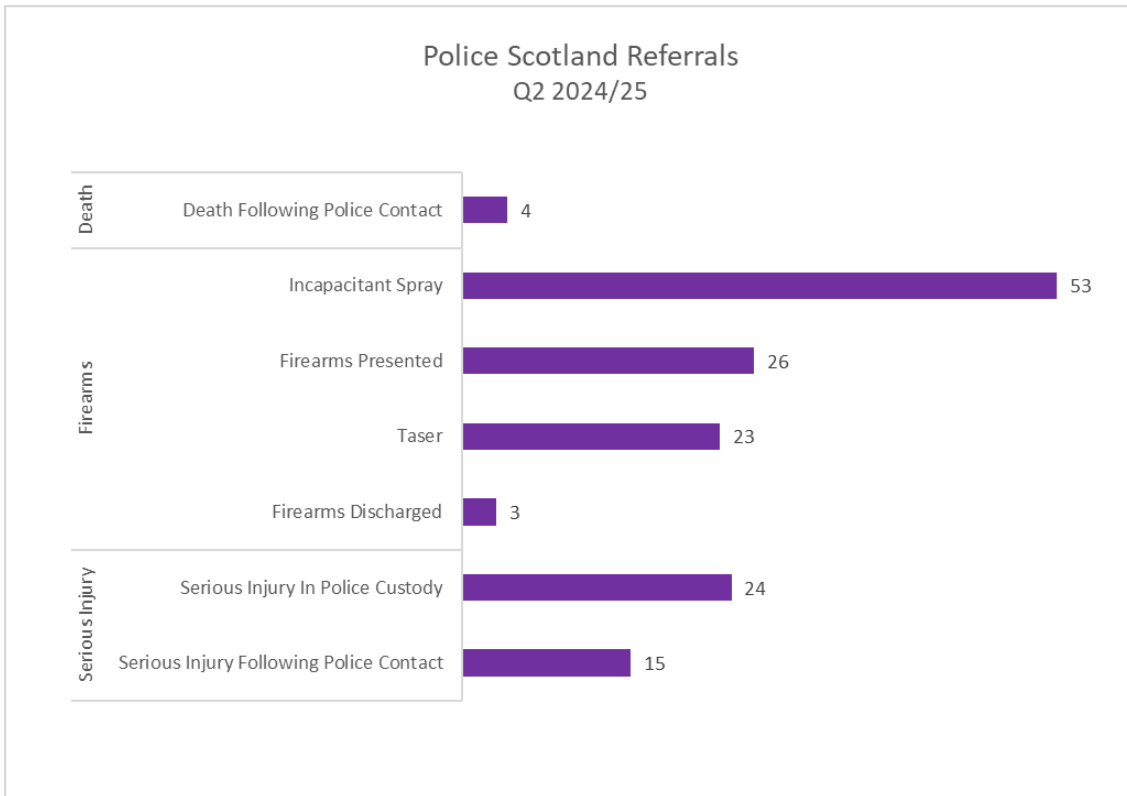
7. Source: PIRC Clue System

Overall, there were 267 referrals concerning Police Scotland in Q2 2024/25. Over 55% of these (n=148) originated from Police Scotland referrals.

Comparatively, this represents increases of 26% (n=55) on Q1 and a 28% (n=59) on Q2 2024/25. Increases have been noted in both COPFS and Police Scotland referrals.

The Standing Instruction from Crown has transferred the source of appropriate referrals to the PIRC being categorised from COPFS rather than Police Scotland. This latest data shows an increased proportion of referrals received from Police Scotland in comparison to recent quarters.

Referrals by Type



8. Source: PIRC Clue System³

The number of PIRC referrals from Police Scotland relating to the use of Incapacitant Spray saw the highest quarterly volume increase (n=15) in Q2 and remains the most common referral type. The quarterly average for Incapacitant Spray referrals for the preceding four quarters is 37. The total up to end of Q2 2024/25 is 91. For comparison, last year’s **annual** total was 138.

None of the referrals made in Q2 warranted further investigation.

The highest proportionate increase in referrals since Q1 was for Serious Injury in Police Custody, which increased from 12 to 24 (100%). However, it should be noted that the Q1 figure (n=12) was the lowest reported in recent quarters.

³ Discrepancies between figures submitted by PIRC and Police Scotland can arise from different categorisation requirements for each organisation’s workload management.

For example, if an Authorised Firearms Officer discharges a taser in the course of their duties – one of a suite of options available to AFOs – Police Scotland will refer this as an Armed Policing incident. If the officer involved was a Specially Trained Officer, the referral would be counted as a ‘STO – Taser’ referral by Police Scotland.

For its part, the PIRC’s interest in the same incident would be primarily concerned with the fact that a taser was discharged at all - but it would not make the distinction between the type of officer involved. PIRC would therefore always record this type of incident as a ‘Taser’ event.

If, however, firearms were also presented by AFOs at the same incident, PIRC would have an obligation to examine each element of the incident (i.e. both taser discharge and firearms) so would raise a second referral for ‘Firearms Presented’.

In Q2, three deaths – one ‘In Policy Custody’ and two ‘Following Police Contact’ - were directed by COPFS. This is in addition to the four recorded in the chart above.

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Police Scotland also referred higher volumes of incidents of Serious Injuries Following Police Contact (increased by 6), Firearms Presented (increased by 5) and Firearms Discharged (increased by 2).

Relative to Q2 of 2023/24, an increase is noted in both Serious Injury categories (both increased by 10 referrals). Firearm discharge increased by three and Incapacitant Spray by 16 – a 43% increase.

Referrals involving Death FPC and Tasers both decreased slightly in Q2 2024/25 compared to the previous year. Three of the Taser referrals made by Police Scotland progressed to full investigation in Q2. These included one discharge at a 15-year-old male and two discharges at moving vehicles.

A Senior Investigator (SI) will review the content of assessments and/or terms of reference for a Crown directed referral. Where a decision is taken that the incident is proceeding to investigation, an SI will categorise the case (in consultation with the Head of Investigations) and allocate the investigation to a lead investigator.



Investigation Categories

To ensure adequate resourcing and prioritisation, all PIRC investigations are categorised using criteria detailed in the PIRC Operations Directorate Business Counting Rules.

Prioritisation is given to death and other high-profile investigations. Each investigation is categorised either A+, A, B or C depending on the complexity or seriousness of the investigation.

Major Cases – Category A+

In exceptional circumstances, the Head of Investigations or the Head of Reviews and Policy (or their nominated representative) can request the Director of Operations or, in their absence, the Commissioner, to designate an investigation with major case status. This only applies to a very small number of complex or protracted investigations, including those where the timescales are being directed by another authority such as COPFS. In such cases it will be clear from the outset that the case is going to take a prolonged period to reach a conclusion, and there is no reasonable prospect of KPI timescales for the completion of the case being met.

An extended timescale will be provided for major cases with the Commissioner and Director of Operations given regular situational updates. The PIRC will also maintain contact with affected family members or next of kin and ensure that timeous progress updates are provided on the status of the investigation.

Category A

Investigations into deaths in police custody or following police contact; or a major investigation with complex lines of enquiry where the securing of evidence requires significant resource allocation over a protracted period or an investigation which generates high levels of public/political interest placing additional demands on the organisation in relation to completion times.

Category B

An investigation where the lines of enquiry are apparent from the outset but where the securing of evidence can only be achieved through prolonged investigation.

Category C

A routine investigation where the lines of enquiry are apparent from the outset and the gathering of all relevant evidence can be achieved without placing great demands on the investigations team.

Four of the referrals made by Police Scotland in Q2 progressed to investigation in Q2 2024/25. Two related to the discharge of Tasers, one regarding the discharge of a firearm and one involving an allegation of Serious Assault Following Police Contact.

A further referral made on 30/09/2024 (Q2) has since progressed to investigation in Q3. This referral involved the discharge of a Taser in G Division.

Therefore, the proportion of the 148 Police Scotland referrals made in Q2 that PIRC has assessed as requiring further investigation is 3.4%

Key Performance Indicators

The following key performance indicators, (KPI's) report on the PIRC's performance on managing all investigations:

- 90% of all cases referred to the PIRC will be assessed, and a decision provided of whether an investigation will proceed within 5 working days following receipt of background case papers police.
 - Q2 2024/25 - 100%
- 80% of Category A investigations (minus major cases) completed and reports submitted within 90 working days, following receipt of background case papers.
 - Q2 2024/25 – 100%
- 80% of Category B & C investigations (minus major cases) completed and reports submitted within 120 working days, following receipt of background case papers.
 - Q2 2024/25 – 95%



Recommendations

PIRC reports to Police Scotland may include findings and recommendations and are intended to assist organisational learning and development or to address any systemic issues discovered. **Police Scotland do not have a legal requirement to implement any recommendations**, however, in the main these are implemented.

To assist Professional Standards Department, implement best practice, a PIRC Senior Investigator has been assigned responsibility for the progression of recommendations, through improved communication channels and scheduled meetings taking place to provide clarification and suggest implementation strategies, if required.

Responses Received

PIRC has received four responses to recommendations previously submitted to Police Scotland. All were thematic in nature and pertained solely to Police Scotland:

<p>PIRC Recommendation</p> <p>Police Scotland should consider supervisory oversight (ACR and Response) for disturbance calls, where individuals involved are identified as having been involved in previous domestic incidents.</p> <p>Police Response</p> <p><i>Police Scotland Area Control Rooms (ACR's) are responsible for the command and control of all deployable resources to ongoing incidents. Due to the volume of calls to ACR's, supervisory oversight of domestic related calls, is the responsibility of local policing supervisors, for that area.</i></p> <p><i>During this incident, system checks revealed previous domestic related calls, but this information was not passed to the local officers and supervisor.</i></p> <p><i>On 1st October 2024, after consultation with Contact Command and Control (C3) Division, additional guidance has been added to the C3 Procedures Guide. The guidance outlines that the local policing supervisor must be informed of any disturbance calls, where system checks reveal previous domestic incidents, as well as the relevant information passed to the local officers attending incidents.</i></p> <p><i>It is the responsibility of the local policing supervisor for that area to ensure all concerns relating to any potential domestic element are considered and risk managed.</i> ⁴</p>
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⁴ NOTE: An excerpt from the disturbance calls and domestic incidents sections of C3 Procedures Guide was also provided in the response from Police Scotland. This provided the exact wording of the additional guidance.

PIRC Recommendation

Police Scotland should remind officers that in relation to calls involving reported violence in domestic settings or private premises, the requirement for officers to personally engage with all present to ensure their wellbeing and safety, in order to understand and mitigate any ongoing risk.

Police Response

Assistant Chief Constable Houston, Professionalism and Assurance, issued a Force memorandum to all officers covering this recommendation, including considerations and the requirement to personally engage with all present to ensure their safety and wellbeing.

PIRC Recommendation

Police Scotland Custody Division staff are to be reminded of the criticality in accurately undertaking and recording the Prisoner Vulnerability Assessment for persons entering police custody. Any disclosures or signs of recent drug or alcohol consumption should be fully documented and, where appropriate, an assessment undertaken by a Health Care Professional to ensure a custody care plan is implemented.

Police Response

On 3rd May 2024 a briefing was circulated to all staff within Criminal Justice Services Division to disseminate organisational learning in respect of this recommendation.

PIRC Recommendation

Police Scotland should consider the implementation of a programme for all newly appointed PCSO's to be afforded an opportunity to shadow an experienced PCSO to develop operational competence and effectiveness

Police Response

Presently, all newly recruited Criminal Justice Police Custody and Security Officers (CJ PCSO's) are issued with a skills matrix on day one of their initial Custody Officer's Induction (COI) training course.

This skills matrix contains a list of all basic skills essential to the role and all staff are encouraged to work through and complete each of the essential custody skills with oversight, support and input from the relevant custody supervisors (Team Leader or Sergeant).

As part of their induction pack, they are provided with an assessed Activity Log which also contains a sequence of Progress Reviews which should be undertaken by their direct line manager. Using Police Scotland's existing MyCareer process, CJSD are now seeking to formalise a list of training objectives for new officers which can be added as MyCareer entries and addressed at subsequent regular check in meetings held with their first line manager.

In terms of shadowing, at present the East Custody Resourcing Unit routinely add an amendment to new recruits on the National System to Coordinate Personnel and Establishment (SCoPE) for their initial sets of shifts after completion of training. All new staff are afforded the opportunity to shadow, they are not recorded on SCOPE as deployable resources until such time as they are considered fully trained and competent in their roles, to ensure safe resourcing of Custody Centres.

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A proposal to nationalise this approach across all CJSD Custody Operations regions will be submitted to the CJSD Custody Operational Leadership Group. This will ensure sufficient shadowing takes place across the country to develop operational competence and effectiveness.

Recommendations Made

PIRC issued only one recommendation in Q2 2024/25, which was thematic in nature:

PIRC Recommendation

Police Scotland should consider drafting specific guidance that stipulates the requirement to carry out dynamic risk assessments in such circumstances and mirrors guidelines set out within both the Armed Policing Operations Standard Operating Procedures and National Police Firearms Training Curriculum (NPFTC), specifically:

‘Officers deployed in plain clothes at a firearms incident need to be clearly identifiable as police officers’ ‘Plain clothed officers who are unarmed will be issued with a high visibility (bright yellow) baseball cap with police markings’ ‘If plain clothed officers are deployed to provide observations or visual containment this information, their deployment positions and any subsequent changes must be clearly and unambiguously relayed to firearms officers and the TFC.

This is especially important on any occasion where plain clothes officers do not have possession of the approved high visibility ‘Police’ baseball caps’ Any decision to deviate from this should be recorded and a rationale provided.

Police Response

No response received as yet. Still within suggested response timescale.

Recommendations Outstanding

No issued by PIRC to Police Scotland currently remain outstanding.



Stakeholder Engagement

Post Incident Manager Continuous Professional Development (CPD).

PIRC staff continue to support a series of ongoing presentations to Local Policing Divisional management teams around the function and respective roles / responsibilities and the wider impact on PIRC investigations.

Training.

PIRC staff continue to support Police Scotland training across a variety of training courses at the SPC as well as PSD Induction Training.

PIRC Staff Continuous Professional Development.

As part of the ongoing CPD process PIRC staff development continues to benefit from training opportunities provided by Police Scotland..

Police Scotland will provide the Initial Investigative Interviewing skills specialist training to PIRC staff commencing in November 2024

Memorandum of Understanding (MOU).

PIRC and PSD are engaged in the review and revision of the existing MoU in line with the scheduled review date. PIRC have shared their position with PSD and await a response as to the position of PSoS with a view to agreement of the updated MoU.

END OF REPORT