



Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

JCC Circular 47 of 2014

Ref: CS/LS

29 October 2014

Dear Colleague

PIRC Annual Report 2013-14 - Information

I refer to the above and attach herewith the Report for your information.

Whilst this circular is primarily for your information, should you have any comments on its content, please notify them to me no later than 10 days after its date of publication.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Calum Steele'.

Calum Steele
General Secretary

**ESTABLISH,
ENGAGE,
EVIDENCE** 

PIRC ANNUAL
REPORT 2013-14



pirc

Police Investigations &
Review Commissioner



The Police Investigations and Review Commissioner (PIRC) is a Ministerial appointment first established in 2013. The Police Complaints Commissioner for Scotland was re-named the PIRC following changes made to the Police Public Order and Criminal Justice (Scotland) Act 2006 ('the Act') by the Police and Fire Reform (Scotland) Act 2012.

Under the Act the Police Investigations & Review Commissioner:

- undertakes independent investigations into serious incidents involving the police.
- undertakes complaint handling reviews of the way the police have handled complaints from the public and provides independent scrutiny of the arrangements that police bodies operating in Scotland have in place to respond to complaints from the public.

Visit our website www.pirc.scotland.gov.uk for more information on the work of the PIRC.

CONTENTS

Commissioner's Foreword	01
What we do – investigations	04
What we do – reviews	06
The year in review	10
Performance measures	18
Profiles	24
Summarised accounts 2013-14	28
Glossary and list of relevant bodies	32

COMMISSIONER'S FOREWORD

Establish, engage, evidence



This is my final Annual Report before stepping down as Commissioner in August 2014. I have been privileged to serve two terms of office as the Police Complaints Commissioner for Scotland and, from April last year, as the Police Investigations & Review Commissioner. I am also grateful to have enjoyed the continuing support of the Cabinet Secretary for Justice throughout my tenure.

The year 2013-14 saw the creation of a single police service for Scotland and, as a consequence, the expansion of my responsibilities to include the investigation of serious incidents involving the police.

It would be wrong not to acknowledge that the wider remit changed fundamentally the nature of the work we do and transformed the dynamic of our relationships with police bodies operating in Scotland.

We successfully recalibrated the governance and oversight mechanisms we have in place to hold the police in Scotland to account and I am pleased that for the most part this has been achieved within the first 12 months.

If I had to choose three words to sum up the first year of PIRC they would be **establish, engage** and **evidence**.

We had to establish an investigative arm that had to be up and running and working alongside the existing review function within seven months of the decision to create the PIRC. I was ever mindful of the risk to public confidence in policing that such a major change could present, if we were not operationally ready and resourced to handle whatever would come our way from April 2013.

To address this I made it a priority to engage regularly and fully with the various stakeholder groups and

interested parties. From politicians and the public, to the Crown Office and Procurator Fiscal Service, Police Scotland and the Scottish Police Authority, as well as organisations representing police officers. I established a reference group made up of many of these stakeholders with the sole aim of creating a forum where we could talk candidly about the issues from our own unique perspectives.

As you would expect, each one of these stakeholder groups had its own view of what governance and oversight should look like. I was happy to hear all views but ultimately the decision on how I would fulfil my statutory obligations lay with me. I was clear that only by being independent and effective in equal measure would I be able to fulfil my role.

I also encouraged my staff to build and maintain professional contacts with their opposite numbers. This ensures a mutual understanding of the rights and responsibilities of each during an investigation or a review of a complaint. I firmly believe that constructive dialogue and enduring relationships with all stakeholders are crucial to our success.

If I had to choose three words to sum up the first year of PIRC they would be **establish, engage and evidence**.



To have steered the organisation through the rapidly changing justice and policing landscape of the last 12 months has been both challenging and inspiring in equal measure.

It is to the credit of everyone involved that, at the same time as we were building an investigations function with the capability and capacity to handle high profile and sensitive cases, we managed an increasing workload on the complaint review side.

As you read my report on the first full year of the PIRC I hope that you will see evidence of how the organisation has established itself as a credible body, capable of undertaking independent and effective investigations and reviews.

To showcase the diverse nature and scale of the work of the PIRC, I have included a number of case studies within the report. These range from the use of tasers to control individuals and prevent harm to themselves or others to the appropriate use of police powers in relation to detaining members of the public. Each one tells a story of interactions and interventions, both good and bad, between the police and the public. Each one is unique and personal but they also hold a mirror up to our society and to the police service whose job it is to keep us safe.

As I prepare to handover to the new Commissioner, my sincere thanks go to my staff and all those who have helped make the role of the PIRC such a well-respected and influential position within the wider justice environment.

Professor John McNeill
Commissioner



We had to establish an investigative arm that had to be up and running and working alongside the existing review function within seven months of the decision to create PIRC.

““”

WHAT WE DO – INVESTIGATIONS

The remit of the PIRC is clearly defined. However, the nature and scale of the investigations undertaken are varied and complex. This section looks at three diverse areas where the role of the PIRC is central to an investigation.

PIRC's role in investigating deaths where there has been contact with the police

In Scotland, the Crown Office and Procurator Fiscal Service (COPFS) is the organisation responsible for the investigation of all sudden, suspicious and unexplained deaths. Legislation enables COPFS to direct the PIRC to carry out the investigation on its behalf if the death involves a person serving with the police.

The PIRC's staff when carrying out such investigations have all the powers of a constable in Scotland. Investigations include: examining the scene, gathering physical evidence, attending post-mortems, appointing someone to liaise with the family, viewing CCTV and listening to audio transmissions, interviewing police and civilian witnesses, and examining relevant policies and procedures.

At the end of the investigation the PIRC submits a report to COPFS. In some circumstances there will then be a fatal accident inquiry (FAI) at which the Procurator Fiscal will present the investigation findings. An FAI is a public hearing held under Scots law to determine the cause of death, to establish if the death could have been prevented and to consider whether any action is needed to protect the public from danger in the future. It is not the purpose of an FAI to apportion blame or to find someone responsible for the death.

Where the death has occurred while the person has been in legal custody, there must be an FAI. There can also be an FAI if the head of COPFS, the Lord Advocate, considers that it would be in the public interest to do so.

During the period 2013-14, COPFS directed the PIRC to investigate 12 deaths that had involved persons serving with the police. Four of these people were in legal custody at the time of their death and there will therefore be mandatory FAIs.

PIRC's role in improving police practice in respect of vulnerable missing persons

As well as investigating and reporting on the circumstances of a specific incident, the Commissioner can also make recommendations for changes, based on what his investigation has uncovered. These recommendations often relate to policies and procedures which have been found to be lacking in some way or where they are in place, they are not being followed by police officers.

Following a number of PIRC investigations involving police actions in relation to missing person enquiries, the Commissioner made a series of recommendations to Police Scotland to improve the management of such cases.

One example, was an investigation into the death of a 52-year-old man, who was known to the police as a vulnerable person with serious health problems.

The investigation found that there were opportunities for the police to have acted earlier and as a result, the Commissioner recommended changes to procedures and practices.

The publication of the Commissioner's investigation reports coincided with the establishment of the Police Scotland Missing Person Unit and the subsequent development of an improvement plan that built on many of the recommendations the Commissioner had made.

PIRC's role in investigating the use of tasers by officers in Scotland

In Scotland, only authorised firearms officers are issued with tasers. During 2013-14 tasers were used in four incidents. As required by the legislation, Police Scotland referred each case to the PIRC for independent investigation. In each case the Commissioner found that use of the taser was proportionate and justified in the circumstances.

One such case involved a siege at a pharmacy in the Royal Mile in Edinburgh in May 2013.

Officers from Police Scotland had been called to an incident at a pharmacy in the city centre of Edinburgh where a man and woman were threatening staff and customers with knives while holding them against their will. When police arrived they too were threatened with knives and the man threatened to self-harm and set the premises on fire.

Over a period of three hours police attempted to resolve the incident and persuade the couple to release the staff and members of the public. The male became more agitated and amid rising concern for the well-being of the woman, who had become unwell, and the safety of the members of the public, police officers entered the premises and fired two tasers at him. This allowed the police to disarm the man, take him into custody and free those being held.

The couple were later charged and subsequently pled guilty at court.

WHAT WE DO – REVIEWS

These case studies have been selected because they either illustrate the complexity of the work of the Commissioner or are characteristic of recurring themes that come up during the course of a review of a complaint.

The complaints case studies reproduced here do not necessarily represent the entirety of the Complaint Handling Review (CHR) carried out. The Commissioner may have reviewed a number of other complaints within the review, as well as the one described below. The reference number for each CHR which is published in full on our website www.pirc.scotland.gov.uk is included for reference.

CUSTODY

The complaint – 294/12

A woman who had been restrained by police complained about the use of “fast straps” and the fact that she had been held flat on the floor.

In this case, police officers had been called to an incident in which the complainer was reported to be causing a disturbance and as having sustained a cut to her arm. An ambulance was called and the complainer was taken to hospital. However, a short time later the police were informed that the ambulance had required to stop on the way to the hospital as the complainer had assaulted one of the paramedics.

The complainer was arrested and taken to hospital in a police vehicle. She struggled with the officers during the course of her arrest and, following hospital treatment, was declared fit to be held in police custody.

On arrival at a police station the complainer continued to be violent and aggressive towards officers and members of police staff. Due to this, “fast straps” were applied and the complainer was placed on the floor.

The police investigation of her complaint found that the use of fast straps was justified and that, although the complainer had “momentarily” been face down on the floor, this had quickly been identified and she had been moved onto her side for her safety.

The review

The Commissioner found that the use of fast straps had been a necessary and proportionate measure given that following her arrival at the police station she had kicked officers and a member of police staff. CCTV footage also confirmed that at one stage the complainer was momentarily face down before being moved onto her side.

However, later in the process the complainer was seen, for a period of between one and two minutes, to be face down on the floor with her hands held behind her back. No reference had been made to this in the police response to the complaint. Given the risk of positional asphyxia associated with prisoners being kept in such a position, the Commissioner considered this to be a significant omission.

The outcome

The Commissioner recommended that the police consider whether the period in which the woman was held in the prone position was consistent with the procedures in place at the time and whether this posed any risk to the woman. Police Scotland did this and sent a further response to the woman involved.

THREAT TO LIFE WARNINGS

The complaint – 354/12

A man who had been issued with a “threat to life warning” by police, complained that the officers who issued him with the (pre-prepared) warning did not provide him with a copy of it.

In its response, the police informed the complainer that there was no statutory obligation upon them to provide copies of warnings to recipients. Reference was made to the fact that the details were read over to the complainer, who had signed the officer’s notebook indicating that he understood the content.

The review

The Commissioner acknowledged that there was no statutory obligation upon the police to provide copies of threat to life warnings to recipients. In his view, however, the question raised by the complaint was whether copies should nevertheless be given.

The Commissioner commented that providing copies would ensure that recipients are fully aware of the terms of the warning following the departure of the police, when otherwise they might forget precisely what they had been told. The signing of an officer's notebook, while verifying that the warning had been given and understood, wouldn't achieve this.

The Commissioner concluded that, by focusing on the absence of any statutory obligation to provide copies, the police had adopted an overly narrow approach to the complaint and had failed to explore the issue raised by the complainer.

The outcome

The Commissioner recommended that Police Scotland considered amending its Standard Operating Procedure to ensure that the recipients of threat to life warnings are issued with copies of these. This recommendation was considered as part of Police Scotland's review of its SOP.

DETENTION

The complaint – 139/13

The complaints in this case arose from the police response to an incident relating to a civil dispute involving access to land. The complainer alleged that her detention by the police had been unlawful, unnecessary and over-zealous. According to one officer, he had attended the complainer's home with the intention of charging her but that, following her refusal to "comply" he was left with no option but to detain her. The other officer stated that the complainer was detained in order to give her the opportunity to explain her behaviour.

The review

In its response to her complaint, the police stated that the officers had intended to deal with the complainer by issuing her with a police warning but that, as the complainer had not wished to "take" the warning, the officers were "duty bound" to detain her and "allow [her] solicitor access and other rights". According to the response, voluntary attendance could have been a consideration "at the outset" but not following the officers' attendance at the complainer's home.

The Commissioner concluded that the detention was lawful in terms of whether the police had reasonable grounds for suspecting that the complainer had committed the offence. However, the Commissioner was not persuaded by the reasons given by the police as to why the detention was strictly necessary.

First, in stating that the complainer was detained due to her failure to “take” the police warning, the response to the complaint did not appear to reflect the evidence of one of the officers (to the effect that the complainer was detained due to her refusal to comply with the officer’s intention to charge her).

In any event, it was unclear to the Commissioner why any refusal to accept a police warning meant that the officers were “duty bound” to detain her. In addition, the Commissioner did not consider the police response to be correct in stating that the complainer was detained to allow her access to a solicitor. This is because, in terms of section 15A of the Criminal Procedure (Scotland) Act 1995, the right of access to a solicitor applies equally to those who attend police stations voluntarily for questioning about the commission of an offence.

It was also not clear to the Commissioner why the possibility of the complainer attending voluntarily was not an option for the officers following their attendance at her home.

The outcome

The Commissioner recommended that the entire decision-making process relating to the applicant’s detention be examined and is considering Police Scotland’s response to this recommendation.



THE YEAR IN REVIEW

Evidencing progress

The PIRC annual business plan and performance measures are based on the corporate objectives set out in our 3-year Corporate Plan. Everything we do has a direct line of sight to one of those objectives and our annual performance measurement targets measure our progress towards achieving those goals.

PIRC delivers against agreed priorities within clear policy, financial and performance management frameworks, designed to ensure the proper stewardship of public funds and a proper balance between operational autonomy and public accountability.



CORPORATE OBJECTIVE 1

Undertake independent and effective investigations into serious incidents involving the police and report to the referring agency within agreed timescales.

High quality investigation reports

In the first year, the Commissioner carried out 18 investigations at the direction of the Crown Office and Procurator Fiscal Service (COPFS). These included investigations into deaths in police custody or following police contact.

He also carried out 255 assessments. Following assessment, the Commissioner investigated 21 of these matters. These ranged from the use of a taser to control and disarm a 32-year-old man who was threatening harm to himself, members of the public and officers in Edinburgh's Royal Mile, to the management and response to incidents leading up to and following a serious road accident near Arbroath in June 2013, that left a man with life-changing injuries. As a result of these investigations the Commissioner made 34 recommendations to Police Scotland and three to the SPA.

The feedback from COPFS and Police Scotland to the way the Commissioner conducted these investigations and the quality of the formal reports submitted has

been positive, with no significant challenges to our findings or recommendations.

High levels of awareness

Throughout the year, a concerted effort was made to ensure increased awareness of the role and function of the office of the Commissioner among key stakeholder groups, including Police Scotland.

The new single police service was a priority stakeholder from the Chief Constable and his Command Team to beat officers. It was recognised that the ability of PIRC investigators to do their job could have been hampered had officers on the ground been unclear of their rights and responsibilities during an investigation.

18

Crown directed investigations

This was addressed through a programme of meetings, input into training events, presentations to professional standards departments, online briefings and the supply of leaflets and posters to all police offices in Scotland.

Increased confidence amongst stakeholders

Raising awareness of the expanded remit amongst the general public was also an important area of activity during the year. The engagement strategy for this group was to build relationships with intermediary organisations such as Citizens Advice, Age Scotland, and YoungScot and use their communication channels to target specific demographic groups.

255

assessments carried out

Another example of engagement was a high impact campaign at the start of 2014 that saw information on the PIRC and its role being sent to each of the 32 local councils for inclusion in newsletters or on websites.

34

recommendations made to police bodies

The organisation's profile in the media was also recognised as a significant contributor to awareness of PIRC to the population of Scotland. To that end four interviews were given, six features written and 81 press releases issued.

We also made use of a refreshed website to pro-actively publicise and update the status of investigations as they move from the assessment stage, to the investigation and ultimately the publication of a report on the site where this was possible.

Participation in the IPSOS MORI quarterly opinion monitor in March provided independent evidence of the success of this approach with prompted awareness of PIRC at 46% and 59% general awareness that there is an independent body in Scotland that investigates incidents involving the police and reviews the way that the police handle complaints. The survey also showed that 61% of those who knew about the organisation had confidence in the organisation's independence from the police.



CORPORATE OBJECTIVE 2

Through independent scrutiny, examine the way in which police bodies in Scotland handle complaints, and ensure that policing bodies have in place efficient and effective procedures for handling relevant complaints.

High quality complaint handling reviews

The number of active cases this year increased by approximately 45% from last year to an all-time high of 254.

Irregularity in Procedure accounted for 46% of complaints reviewed by the PIRC.

In 36% of cases reviewed during 2013-14 the Commissioner recommended that further enquiries were made into the complaint. In a further 40%, a fuller or further response was required by the police.

The total number of recommendations made in 2013-14 was 242 a 59% increase on the previous year.

PIRC continued to receive a proportion of out-of-scope or premature enquiries, although there was a slight increase from 12% in 2012-13 to 13% in 2013-14.

As part of our own service improvement, after each review has been concluded we invite both the person who made the complaint and the police officers

involved to complete a questionnaire to evaluate their experience. Response rates from both the police and the public are lower than we would like.

Completion times on target

The average time taken to close a case in 2013-14 was 5.5 months against our performance target of 6 months. At the same time productivity increased by 24% on the previous year.

During the year, a number of changes were introduced to cope with increased demand. The most significant change was the introduction of a scheme of delegation that allows the Commissioner to delegate to senior staff responsibility for dealing with cases that are not considered to raise serious issues.

Recommendations implemented

Ninety-one per cent of recommendations made by the Commissioner were implemented within 2 months of publication of the Complaint Handling Review.

As well as producing Complaint Handling Reviews this area of the organisation is responsible for Quality and Standards projects and audits.

292 applications

In April 2013 the Commissioner updated his statutory guidance, "From Sanctions to Solutions", to take account of amendments made to the definition of a complaint about the police within the Police and Fire Reform (Scotland) 2012 ("the 2012 Act"). Other changes related to parts of the guidance which required clarification, in light of representations made by the police service, or as a result of complaint audits undertaken by the Commissioner.

254 active cases

During the year the Commissioner published a report setting out the findings of an audit that looked at how successful the single police service was at concluding complaints within the 40-working-day target set by the Commissioner in his statutory guidance on police complaints handling. The report found that many of the legacy issues that prevented the police from concluding their investigation within the timescale under the eight force model have been addressed by the police in its new Standard Operating Procedures.

178 cases closed

During the year the Commissioner closed 178 cases, this is an increase of 24% on 2012-13 when 144 cases were closed.



CORPORATE OBJECTIVE 3

Demonstrate business effectiveness in accordance with best practice for Scottish public sector bodies, ensuring continuous improvement with transparent reporting of information and statistics in relation to investigations and reviews.

Service standards met

The PIRC is required to comply with a range of requirements including those relating to data protection and freedom of information. This year the organisation experienced a 27% increase in applications made under the Freedom of Information (Scotland) Act 2002 and the Data Protection Act 1998 by members of the public. Despite this increase, 99% were responded to within the statutory timescales.

25

DPA requests

We also saw an increase in the number of complaints made about the PIRC, up from 14 last year to 17 this year. From these complaints we had 39 heads of complaint. Whilst we did not uphold any full complaint, we did uphold one head of complaint. One complaint was referred to the SPSO and of the complaints concluded by the SPSO, none was upheld.

Increased governance and accountability

The PIRC operates within the terms of the Scottish Public Finance Manual, which sets out specific arrangements for financial control, internal and external audit arrangements and effective risk management procedures.

During 2013-14 we published the Governance and Accountability Framework document on our website. This replaces the former Management Statement and Financial Memorandum. This document details the broad framework within which PIRC operates and defines key roles and responsibilities which underpin the relationship between PIRC and the Scottish Government.

682

enquiries

Our internal audit programme looked at six internal processes and made nine medium and five low recommendations. PIRC has accepted the recommendations and responded to each. Overall, Internal Audit has given PIRC a green rating which indicates a substantial level of assurance.

In addition to these independent audits, PIRC carried out monthly internal audits covering: payroll, travel/subsistence, flexi and the Centurion database amongst others. In total we carried out 72 audits which is in excess of our target of 24 set down in our business plan.

We also met our targets for supplier payment within 10 days. Our target was 95% and we achieved a performance of 97.4%.

£24,436
efficiency savings

70 FOI requests

Reports from our external auditors led to several recommendations, including the expansion of our annual assurance process. All recommendations have been implemented.

Evidence value for money

This is one of the most challenging areas for us as we have for several years strived to meet an efficiency target of 1% which has become ever more challenging against the larger budget which reflects the Commissioner's new powers. This year we again delivered an efficiency saving of just over 1% which in cash terms amounts to £24,436.

We also measure the average number of shared service initiatives in place against an annual target. This year we delivered an average performance of 21 such initiatives which exceeds the target of 20 set out in our business plan. We remain committed to securing best value through productive shared relationships and will continue to seek out opportunities.

The PIRC is required to comply with a range of requirements including those relating to data protection and freedom of information. This year the organisation experienced a 27% increase in FOISA and DPA applications from the public. Despite this increase 99% were responded to within the statutory timescales.



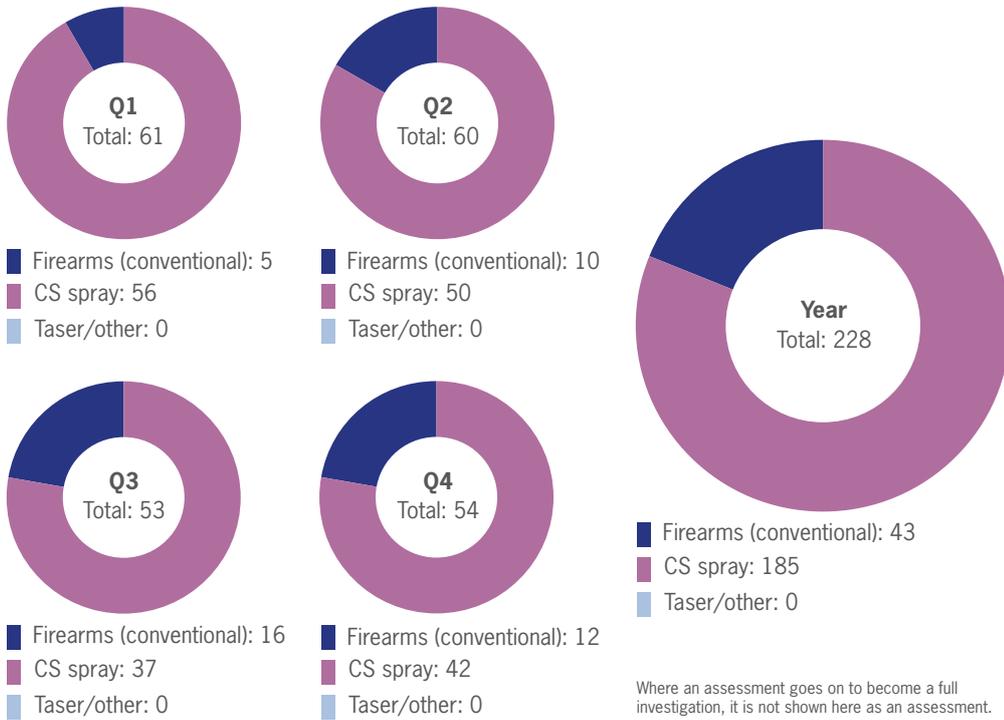




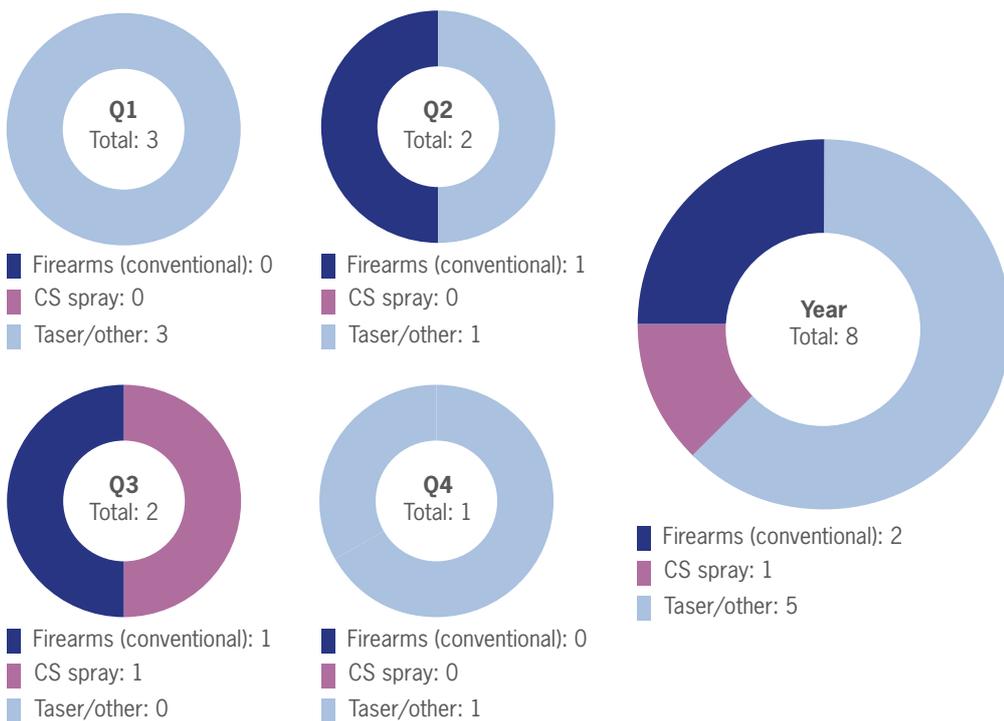
PERFORMANCE MEASURES 2013-14

INVESTIGATIONS

1. FIREARMS ASSESSMENTS BY QUARTER, BROKEN DOWN INTO FIREARMS (CONVENTIONAL), CS SPRAY AND TASER/OTHER



2. FIREARMS INVESTIGATIONS BY QUARTER, BROKEN DOWN INTO FIREARMS (CONVENTIONAL), CS SPRAY AND TASER/OTHER



3. INVESTIGATIONS BY QUARTER, BROKEN DOWN BY REFERRING BODY, POLICE SCOTLAND, COPFS, SPA AND OTHER POLICING BODY

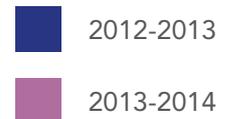
	Q1	Q2	Q3	Q4	Total
Investigations	12	12	7	8	39
Police Scotland	6	7	2	3	18
COPFS	4	5	4	5	18
SPA	1	0	0	0	1
Other Policing Body	0	0	1	0	1
Public Interest	1	0	0	0	1

4. BREAKDOWN OF INVESTIGATIONS BY TYPE

Full Investigations	39
Death Following Contact	11
Death in Custody	7
Serious Injury following Contact	8
Misconduct	1
Criminal Investigation	2
Firearms Related	8
Public Interest Inquiry	1
Road Traffic Collision - Fatal	1

5. REPORTS PUBLISHED, SUBMITTED AND ONGOING

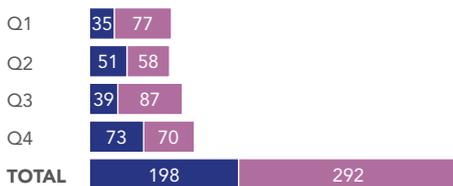
Published	17
Submitted to COPFS	13
Submitted to SPA	1
Ongoing (c/f to 2014-15)	8



REVIEWS

1. APPLICATIONS RECEIVED BY QUARTER 2013-14, COMPARED WITH 2012-13

APPLICATIONS RECEIVED



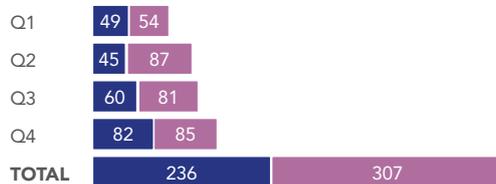
2. HEADS OF COMPLAINT TOTAL 2013-14, COMPARED WITH 2012-13

HOC TOTAL

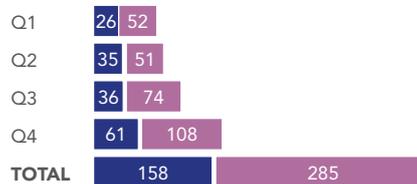


3. HEADS OF COMPLAINT HANDLED REASONABLY/NOT REASONABLY 2013-14, COMPARED WITH 2012-13

REASONABLY

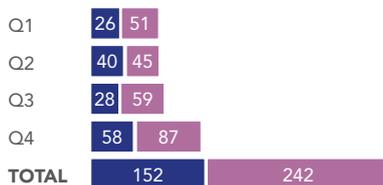


NOT REASONABLY



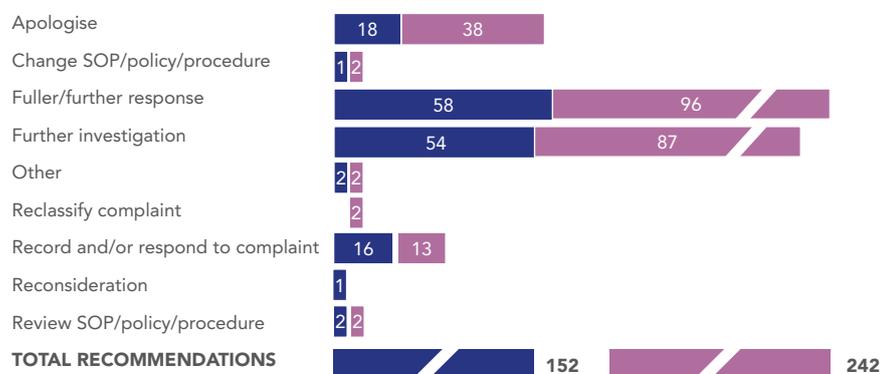
4. RECOMMENDATIONS 2013-14, COMPARED WITH 2012-13

RECOMMENDATIONS



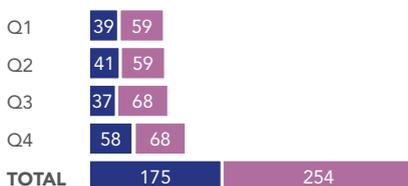
5. TABLE OF RECOMMENDATIONS 2013-14 BY CATEGORY, COMPARED WITH 2012-13

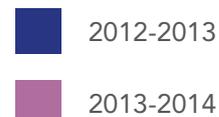
RECOMMENDATIONS



6. ACTIVE CASES RECEIVED 2013-14 COMPARED WITH 2012-13

ACTIVE CASES RECEIVED





CORPORATE SERVICES

1. ENQUIRIES TOTAL 2013-14, COMPARED WITH 2012-13

ENQUIRIES



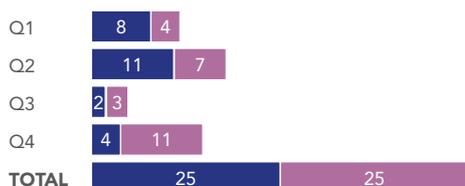
2. FOI REQUESTS 2013-14, COMPARED WITH 2012-13

INFO REQUESTS - FOISA



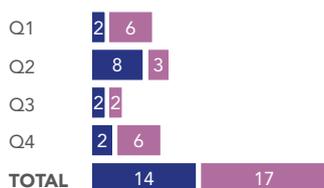
3. DPA REQUESTS 2013-14, COMPARED WITH 2012-13

INFO REQUESTS - DPA



4. COMPLAINTS AGAINST PIRC 2013-14, COMPARED WITH 2012-13

COMPLAINTS







PROFILES





Name: Carol Crombie

Job Title: Admin Team Leader/PA to Commissioner

Joined: August 2011

My role is to support the Commissioner, managing his daily commitments and ensuring he is kept fully up to date with all areas of PIRC business. As team leader I manage an admin team of three. This team is the first point of contact for members of the public contacting PIRC and as a team we work hard to deliver excellent frontline customer service, as well as supporting internal and external colleagues.

I was looking for a job that would enable me to use my skills within a PA/admin/customer service role and develop new ones. This role offered me a new challenge and was completely different from previous roles I have held. I enjoy all aspects of the role offered by such an interesting and varied job description.



Name: Victoria Karran

Job Title: Trainee Investigator

Joined: July 2013

As a trainee investigator my role involves undertaking a 2-year training programme which includes completing a short course on Forensic Science and Crime Scene Investigation at the University of Abertay. I also receive on-the-job training in all aspects of investigations such as, obtaining witness statements, attending post-mortems, seizing productions and reviewing CCTV and audio files. On occasions I also shadow experienced investigators in specialist roles such as family liaison.

I saw joining PIRC as an opportunity to work in a new and varied environment. As a trainee I am always learning and developing new skills and no two days are ever the same. In the next year I hope to complete my training programme and become a fully accredited investigator.



Name: Laura White

Job Title: Investigator

Joined: March 2013

My role is wide ranging and sees me undertaking all aspects of investigations into serious incidents involving the police. My days are never the same and can involve everything from attending scenes, interviewing police and civilian witnesses, attending post-mortems and managing investigations on IT systems to ensure actions are coordinated and prioritised.

I was attracted to this role as it sounded interesting and challenging. Having a law degree and over 12 years' of experience within investigations in the UK Border Agency, I felt I had the relevant skills, with the benefit of coming from a non-police back ground, supporting the independent nature of PIRC.



Name: Peter Innes

Job Title: Senior Review Officer

Joined: October 2013

My job is to examine draft complaint handling reviews produced by review officers, ensuring that the content is accurate, concise, well-presented, properly reasoned, consistent with previous decisions, capable of withstanding scrutiny and produced within given timescales. I also carry a modest caseload and have line-management responsibility for a small team of review officers.

Having worked previously in the area of immigration and human rights law, I was interested in moving to another legislative field. I joined PIRC as it enabled me to enter the criminal justice arena at an interesting time, with the single national police force only recently having been formed. I was attracted to the role as it allowed me to utilise well my ability to analyse evidence, make decisions and write reports.





SUMMARISED ACCOUNTS 2013-14

The financial information given here is a summary extracted from the Commissioner's audited annual accounts for the year ending 31 March 2014. It does not contain sufficient information to allow as full an understanding of the results and state of the affairs of PIRC as would be provided by the full annual accounts and reports which are available on our website www.pirc.scotland.gov.uk

STATEMENT OF COMPREHENSIVE NET EXPENDITURE FOR THE YEAR ENDED 31 MARCH 2014

	2013-14 £'000	2012-13 £'000
ADMINISTRATIVE COSTS		
Staff costs	1,828	795
Other admin costs	565	303
Depreciation	61	50
Net operating cost	2,454	1,148

STATEMENT OF CHANGES IN TAXPAYERS' EQUITY FOR THE YEAR ENDED 31 MARCH 2014

	General Fund £'000
BALANCE AT 1 APRIL 2013	525
Opening balance adjustment	1
Non-cash charges – notional costs	3
Net operating cost for the year	(2,454)
Net funding	2,307
Balance at 31 March 2014	382
BALANCE AT 1 APRIL 2012	295
Non-cash charges – notional costs	3
Net operating cost for the year	(1,148)
Net funding	1,375
Balance at 31 March 2013	525

STATEMENT OF FINANCIAL POSITION AS AT 31 MARCH 2014

	2014 £'000	2013 £'000
NON-CURRENT ASSETS		
Property, plant and equipment	408	352
Total non-current assets	408	352
CURRENT ASSETS		
Trade and other receivables	23	3
Cash and cash equivalents	263	582
Total current assets	286	585
Total assets	694	937
CURRENT LIABILITIES		
Trade and other payables	257	374
Total current liabilities	257	374
Total assets less current liabilities	437	563
NON-CURRENT LIABILITIES		
Other financial liabilities	55	38
Total non-current liabilities	55	38
Total liabilities	312	412
Net assets/(liabilities)	382	525
TAXPAYERS' EQUITY		
General fund	382	525
Total taxpayers' equity	382	525

CASH FLOW STATEMENT FOR THE YEAR ENDED 31 MARCH 2014

	2013-14 £'000	2012-13 £'000
CASH FLOWS FROM OPERATING ACTIVITIES		
Net operating cost	(2,454)	(1,148)
Adjustments for non-cash transactions:		
• Depreciation	61	50
• Notional costs	3	3
Movements in working capital:		
• (Increase)/Decrease in trade and other receivables	(19)	-
• Increase/(Decrease) in trade and other payables	(99)	294
Net cash outflow from operating activities	(2,508)	(801)
CASH FLOWS FROM INVESTING ACTIVITIES		
Purchase of property, plant and equipment	(118)	(187)
Net cash flow from investing activities	(118)	(187)
CASH FLOWS FROM FINANCING ACTIVITIES		
Funding	2,307	1,375
Net cash flow from financing activities	2,307	1,375
NET INCREASE/(DECREASE) IN CASH AND CASH EQUIVALENTS		
	(319)	387
Cash and cash equivalents at beginning of period	582	195
Cash and cash equivalents at end of period	263	582



Independent auditor's statement to the Police Investigations and Review Commissioner on the summary financial statement

I have examined the summary financial statement of the Police Investigations and Review Commissioner for the year ended 31 March 2014 which comprise the Statement of Comprehensive Net Expenditure, the Statement of Financial Position, the Cash Flow Statement and the Statement of Changes in Taxpayers' Equity.

This report is made solely to the parties to whom it is addressed in accordance with the Public Finance and Accountability (Scotland) Act 2000 and for no other purpose. In accordance with paragraph 125 of the Code of Audit Practice approved by the Auditor General for Scotland, I do not undertake to have responsibilities to members or officers, in their individual capacities, or to third parties.

Respective responsibilities of the Accountable Officer and auditor

The Accountable Officer is responsible for preparing the summary financial statement within the Annual Report.

My responsibility is to report to you my opinion on the consistency of the summary financial statement with the full financial statements.

In addition, I read the other financial and non-financial information in the Annual Report to identify material inconsistencies with the summary financial statement. If I become aware of any apparent misstatements or material inconsistencies, I consider the implications for my report.

I conducted my work in accordance with guidance provided by Audit Scotland. My report on the Police Investigations and Review Commissioner's full annual financial statements describes the basis of my opinion on those financial statements.

Opinion

In my opinion the summary financial statement is consistent with the full financial statements of the body for the year ended 31 March 2014.

I have not considered the effects of any events between the date on which I signed my report on the full financial statements [30 September 2014] and the date of this statement.

Helen Russell BA CPFA
Senior Audit Manager
Audit Scotland
4th Floor South Suite
The Athenaeum Building
8 Nelson Mandela Place
GLASGOW G2 1BT

2 October 2014



Commissioner (centre left) and PIRC Directors.



GLOSSARY

The “Act”

The Police, Public Order and Criminal Justice (Scotland) Act 2006, as amended by the Police and Fire Reform (Scotland) Act 2012.

PIRC Investigations

The Commissioner may undertake investigations in the following circumstances:

1. Allegations of a criminal nature (as directed by the Crown Office and Procurator Fiscal Service).
2. Death in police custody (under direction of the Crown Office and Procurator Fiscal Service).
3. Death following police contact (at the request of the Chief Constable or the Scottish Police Authority).
4. Police use of firearms and other weapons as specified in regulations (at the request of the Chief Constable or Scottish Police Authority).
5. Serious injury in police custody or following police contact (at the request of the Chief Constable or the Scottish Police Authority).
6. Complaints made against senior officers (at the request of the Scottish Police Authority).
7. Relevant police matters where the Commissioner considers it would be in the public interest to do so.

PIRC Reviews

The Commissioner may undertake a review of the way in which a police body handled a relevant complaint made by the public if the complainer is dissatisfied with the police response.

Complainer

Any member of the public who is:

- the person in relation to whom the alleged failing occurred
- any other person who claims to be adversely affected by the alleged failing
- any person who claims to have witnessed the alleged failing

or

- any person acting on behalf of those listed above.

Complaint

A complaint about the police is defined as a statement (whether oral, written or electronic) expressing dissatisfaction about an act or omission by the Scottish Police Authority, Police Scotland or by a person who, at the time of the act or omission, was a person serving with the police.

Heads of Complaint

Complaints identified by the PIRC and confirmed with the complainer following assessment and review of the application form and case papers.

Complaint Handling Review

An examination of the way in which a police body handled a relevant complaint. The report following the review includes the background to the case, the decision as to whether the complaint was handled reasonably, along with any recommendations or learning points identified during the review.

Reviews may also take the form of a decision letter where it is considered that the case is straightforward, and where the issues can be dealt with in a relatively brief letter, and do not justify a full report. Decision letters are used both in cases where a complaint is upheld as well as rejected, but in all such cases the issues must be straightforward and any recommendations made must be minimal and relatively minor in nature. Decision letters represent a proportionate way of dealing with such cases and allow the Commissioner to issue a decision more quickly, without affecting in any way the quality of the service provided to the public. Such letters carry the same weight as full reports issued by the Commissioner.

Handled to a reasonable standard

Where, following a Complaint Handling Review, the Commissioner has come to the view that a specific head of complaint has been handled to a reasonable standard by the police. Previously this was classified as “not upheld”.

Not handled to a reasonable standard

Where, following a Complaint Handling Review, the Commissioner has come to the view that a specific head of complaint has not been handled to a reasonable standard by the police. Previously this was classified as “upheld”.

RELEVANT POLICE BODIES

Police Scotland and the Scottish Police Authority

British Transport Police
British Transport Police Authority
Civil Nuclear Constabulary
Civil Nuclear Police Authority
HM Revenue & Customs
Ministry of Defence Police
The National Crime Agency
The Home Office

Laid before the Scottish Parliament by the Scottish Ministers [in pursuance of Part 2 of the Police, Public Order and Criminal Justice (Scotland) Act 2006, as amended. October 2014. SG/2014/175.



pirc

Police Investigations &
Review Commissioner

Police Investigations & Review Commissioner

Hamilton House
Hamilton Business Park
Caird Park
Hamilton ML3 0QA

Telephone: 01698 542900
Email: enquiries@pirc.gsi.gov.uk
www.pirc.scotland.gov.uk

This report presents highlights of the achievements of the PIRC for the 2013-14 financial year. It compares the PIRC's performance against its performance targets and meets reporting obligations under Part 2 of the Police, Public order and Criminal Justice (Scotland) Act 2006, as amended.

Copies can be requested by phone on 01698 542900 or downloaded from our website www.pirc.scotlandf.gov.uk

Design by [aps group](http://www.apsgroup.co.uk)
Photography by www.fionamurray.com