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Op Birnie - Post Incident Management - Timeline and identification of lessons learnt

On Sunday 3 May 2015 Ch Inspector Trickett was On Call CI for OSD and as such took part in the morning overview meeting chaired by the duty ACC.

About 0955 hours, same day, during the teleconference the meeting was advised of the incident in Kirkcaldy (subsequently called Op Birnie). The ACC on the recommendation of Ch Supt G McEwan decided to support the Officers involved and the investigation through the appointment of a Post Incident Manager and adoption of a Post Incident Procedure.

It was recognised that the SOP for PIP refers to post incident procedures in a firearms context and acknowledged the SOP would have to be adapted however the principles of the process and SOP should be followed.

(Lesson 1: Police Scotland to consider developing PIP SOP for Non Firearms Police Contact Deaths)

Ch Insp Trickett as a trained Post Incident Manager volunteered to assist.

About 1100 hours, same day, Ch Insp Trickett attended at Kirkcaldy Police Office. The Officers were already in the canteen, which was designated as the PIM suite and Amanda Givan the Police Federation rep was also in attendance. Inspector Jane Combe was nominated as part of the PIM team to be the local interface.

About 1130 hours, same day, Ch Insp Trickett spoke with the Officers in the PIM suite and utilised the Meet and Greet aide memoire (Appendix A) to cover the relevant issues. The issues of anonymity and conferring were adapted and discussed in a non firearms context.

The Officers in the PIM suite were considered as Principal Officers. It was also identified welfare support was required for ACR staff and 2 detectives officers who attended the scene. This was provided through line management and they did not attend the PIM suite.

(Lesson 2: Earlier identification of Principal Officers (by PIM) may have led to better support to Detective officers)

About 1340 hours, same day Ch Insp Trickett spoke with the appointed SIO, D Supt Pat Campbell, he advised him the enquiry was to be a PIRC investigation, instructions from PIRC were to take external clothing from all Officers and there was no need to take statements at this time. A discussion ensued regarding this request and pointed out section 13 of the SOP covering Clothing. The rationale given for taking the clothing was simply that it was standard to take the clothing of any witness who may have had contact with deceased in a sudden death enquiry. D Supt Campbell asked to speak to the Officers and this was facilitated.

(Lesson 3: Recognition of PIM / PIP process and SOP by Investigators - Police Scotland and PIRC)

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Ch Insp Trickett liaised with DCI Stuart Houston in relation to the process for taking Officers clothing and this was briefed to them and the process started. Concurrently a Police Doctor attended and saw all Principal Officers. Contact details were obtained for all officers and support at home. Details of next duty day were discussed and briefed. The Police Scotland media release was shown to the Officers. Injuries to an Officer were photographed with her permission.

Access to legal advice was arranged for Officers through Amanda Givan.

The seizure of clothing was a slow process and was not completed until 2030 hours that evening - the Officers commenced duty at 0700 and were due to terminate duty at 1600 hours. Concerns were raised regarding the length of time to D Supt Campbell / DCI Houston.

(Lesson 4: Review section 13 of SOP in relation to clothing to reflect PIRC stance of seizure.)

Final welfare checks and provision of support going forward was reinforced with Officers prior to them terminating duty.

On Monday 4 May 2015, a line management welfare check took place prior to them commencing duty. All apart from one Officer attended.

PIM / line management / Federation discussed TRiM, OH and [REDACTED] support and agreed to be put in place at the appropriate time later in week; all Officers were receiving direct support from line management, PIM and Federation.

ACC made the decision to remove Officers from operational policing for remainder of the week. Issue of new equipment including purchase of boots organised.

On Tuesday 5 May 2015, the cause of death pending toxicology was advised to all Officers.

On Wednesday 6 May 2015, a Personal Welfare Strategy was developed and Officers briefed. Each Officer was spoken to by line management and a Personal Welfare Plan (Appendix B) developed for each Officer in line with section 19 of the SOP.

Officers were also briefed by legal representation in relation to provision of accounts / statements arranged by the Federation. Legal advice was not to provide a statement until status is confirmed after cause of death is known.

On Thursday 7 May 2015, It was highlighted in discussion with TRiM coordinator, [REDACTED] the challenges of a TRiM practitioner conducting the process with these Officers due to the disclosable nature of TRiM and the legal advice they had currently received. At this time discussions were held via telephone with local management, local TRiM coordinator and [REDACTED] as to feasibility of carrying out the TRiM process.

On Friday 8 May 2015 local management decision made to go ahead with TRiM process with officers being made aware of confidentiality issue prior to process beginning, staff to be arranged.

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On Monday 11 May 2015 dialogue between local management and [REDACTED] identified 4 TRiM assessors to attend at Kirkcaldy Police Station on 12 May 2015 to carry out process.

On Tuesday 12 May assessors attended and during local briefing discussion ensued regarding the disclosable position and feasibility of offering proper service to officers. At the conclusion of this briefing the assessors carried out their own briefing and again called into question the restrictions placed. 7 officers were eventually afforded personal TRiM interviews. 1 officer was contacted by telephone and afforded details regarding the [REDACTED] support service, 1 officer was afforded a home visit.

On Wednesday 13 May, Chief Constable House and Ch Supt McEwan met with 10 of the officers involved and during this meeting asked how they felt regarding the support they had been offered. Comments were made by one of the officers regarding the generic leaflet that had been handed out during the TRiM process and did not believe it fit for emergency services.

Comments were made regarding the time delay in the counselling services and the generic questions that the officer had been asked when contacting the call centre. Although appointments had been arranged for personal counselling it was felt that the delay between initial phone call and appointment was excessive.

One officer commented on the fact that it had been a mistake to allow welfare officers from legacy forces to be allowed to leave. He commented on the fact that he had been contacted by [REDACTED] whom he had previous experience and that he had offered to meet with him if he so desired. It was asked if the officers felt that it would be beneficial to have [REDACTED] contracted to speak with the officers, some felt that this would be the case.

All officers were complimentary of the TRiM officers and felt that the process had assisted them greatly. There were no derogatory comments made regarding the TRiM process other than they felt it could have been carried out quicker.

(Lesson 5: Review of TRiM / [REDACTED] / OH welfare support to Officers in light of confidentiality / legal advice issues.)

DCI Keith Hardie directed by PIRC spoke with all officers involved over a number of days and asked them if they wished to provide a statement. On the basis of the legal advice they received they declined to do so at this time.

(Lesson 6: PIRC interaction with PIM was none existent - investigative requests through SIO - consider review to identify best approach)

On Thursday 14 May 2015, PIRC obtained statement from PIM in relation to role, advice given to Officers and seized PIM log.

Whilst it is appreciated that this is only a briefing paper regarding the circumstances surrounding the welfare process in place for officers, it has to be stressed that the processes have been stretched to the limit due to a number of factors. Whilst touching on

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the good work carried out by a number of people it does not do justice to the amount of obstacles and exceptional circumstances placed in the way. It has to be stressed that this paper, in its briefness, does not cover all these points and a discussion group would be better placed to seek resolution to some of the problems identified and either overcome or worked around.

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