

POLICE

SCOTLAND

120

POST INCIDENT PROCEDURES

Standard Operating Procedures

Produced for Operational Turn

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1. PURPOSE

1.1 This document has been written with the following aims –

- To provide a clear guide for post-incident procedures and related investigations, and
- To act as guidance for those persons involved in such procedures and investigations following a firearms incident.
- To balance the needs of the enquiry with the welfare needs of the officers, police staff and public.

1.2 In creating the document, due regard has been given to the overriding principles of [European Convention for Human Rights \(ECHR\)](#) and in particular Articles 2 (Right to Life), 6 (Right to a Fair Hearing) and 8 (Respect for Private and Family Life). This document should be read in conjunction with [Module 7 of ACPO Authorised Professional Practice \(Armed Policing\) \(APP\(AP\)\)](#). Where the guidance within this document is not contained within the APP(AP) the rationale and justification for this has been given within the document.

1.3 The main principle that has governed the creation of this document has been the desire to ensure that the policies, guidance and advice within are clear, transparent and legally sound. The aim has been to produce guidance balancing the welfare needs of the officers with the needs of an enquiry that withstands internal and external scrutiny and can be seen to help ensure that any post incident investigation is carried out with integrity and transparency, thus ensuring the creation and maintenance of trust from police, police staff and the public alike.

1.4 The criteria for a Post Incident Investigation is covered in the APP(AP) and is reproduced herein however article 2 [ECHR](#) places a positive duty on the police to carry out a comprehensive investigation into all deaths, whatever the cause. The court only considers investigations effective if they are capable of leading to the identification and punishment (if appropriate) of anybody responsible for the events in question. Failure to carry out such an investigation (*Tanrikulu v Turkey* no 23763/94) and a failure to ensure the independence of the investigation (*Ramsahai v Netherlands* no 52391/99) have both been found to be violations of Article 2. From 1st April 2013 the Police Investigations and Review Commissioner (PIRC) will, under direction from the Crown Office Procurator Fiscal Service (COPFS), conduct investigations into:

- allegations of a criminal nature (as directed by the Crown Office and Procurator Fiscal Service (COPFS));
- death or serious injury in police custody (under direction of the COPFS);
- death or serious injury following police contact;
- police use of firearms and other weapons as specified in regulations;

- complaints made against senior officers (at the request of the Scottish Police Authority);
 - relevant police matters where the Commissioner considers it would be in the public interest to do so.
- 1.5 Incidents involving the discharge of a firearm by a police officer are, by their very nature, highly emotive and stressful for all involved. There is a requirement that the Police Service of Scotland (PSoS) manages and minimises the impact of these incidents. The welfare of officers, staff and their families involved in any firearms incident, is of equal importance to the requirements of the enquiry and it should be remembered that individuals may be affected irrespective of whether they are armed or not or whether shots have been fired. Welfare considerations should be of particular concern where shots are fired which result in death or injury.

2. INITIAL ACTION

- 2.1 Where weapons have been discharged during an operational deployment the Tactical Firearms Commander (TFC) and the Area Control Room must be informed immediately. The Strategic Firearms Commander (SFC) must then be informed.
- 2.2 The SFC for the original firearms operation or incident should request the provision of a second Strategic officer. This officer should take on the role as Strategic Commander for the Post Incident Procedures (PIP) process and will have overall responsibility for the PIP and the setting of a subsequent strategy for the PIP investigation / welfare needs. This may include deciding the level of PIP to be undertaken given the circumstances of a discharge e.g. in unintentional discharges or those of less lethal weapons it may not always be appropriate to call in an external investigatory body.
- 2.3 The Strategic Commander responsible for PIP should not have been involved in the original operation avoiding any conflict of interest arising between the original firearms strategy and authorisation and the subsequent PIP strategy and investigation.
- 2.4 The Strategic Commander for the PIP should ensure that the following persons are nominated, contacted and briefed regarding their roles and responsibilities:
1. Post Incident Manager (PIM);
 2. Initial Investigating Officer (IIO);
 3. Strategic lead for enquiry.
- 2.5 The Strategic PIP Commander will notify Crown Office Procurator Fiscal Service (COPFS) and the on-call Police Investigations and Review Commission (PIRC) Senior Investigator (Tel [REDACTED] who will have

responsibility for any subsequent investigation under the direction of COPFS. Both the on-call Procurator Fiscal (PF) and PIRC Senior Investigator will require a full briefing of the circumstances from the Strategic Commander.

- 2.6 The IIO will take the necessary actions to preserve evidence and maintain the integrity of any investigation until such time as the PIRC Investigation Team are in a position to receive formal handover for their independent investigation. Under the terms of the [Police and Fire Reform Act 2012](#) the PIRC Senior Investigator may **direct** the IIO to carry out specific actions on behalf of the PIRC.

3. PRINCIPAL OFFICERS AND REFERRAL CRITERIA

- 3.1 The overriding aim of Post Incident Procedures will be to develop a factual initial account of the incident whilst considering the welfare of those involved.
- 3.2 Any incident that involves the discharge of a firearm by police has the potential to affect all those involved. The term “Principal Officer” would normally be used to describe those officers or staff, whether armed or not, who were directly involved in the operation and in particular the decision to use force. However, Principal Officers could also include other persons such as Negotiators, Control Room staff, unarmed containment officers and others who had significant involvement in the incident.
- 3.3 An incident involving the use of firearms by Police Officers may affect all those involved differently and it is not possible, nor should it be attempted to define categorically who may be affected and to what extent. Both research and experience have shown that officers who have not discharged weapons or suffered injury may be affected.
- 3.4 An early decision should be made on which officers will be considered Principal Officers, by the PIM in conjunction with the Strategic PIP Commander, the TFC and the IIO. The outcome of the decision will depend on the circumstances of the incident.
- 3.5 Officers and police staff in positions or roles not immediately impacting upon the incident may also be called to account for their actions in any inquiry or investigation. Consequently, to closely define the term Principal Officer is unnecessarily restrictive. Where resources are initially limited, it may be necessary to prioritise actions in accordance with the level of involvement of individuals and the degree to which they have been affected.
- 3.6 This is not to say that officers who are not deemed to be Principal Officers should not receive welfare support after such an incident. This should be borne in mind and suitable provision made as required by the individual circumstance.

- 3.7 Whilst Article 2 ECHR requires an independent enquiry in circumstances where a discharge has led to a death, the [APP\(AP\)](#) also stipulates that post-incident procedures should be carried out in the following circumstances:
- 3.8 “Post Incident Investigations will be commenced in all situations where there has been a discharge of a weapon by the police (Including those involving a conventional firearm or less lethal weapon), whether intentional or unintentional which has, or may have:
1. Resulted in death or serious injury;
 2. Revealed failings in command;
 3. Caused danger to officers or the public.”
- [APP\(AP\) 07-006](#)
- 3.9 Where the above criteria are not met, consideration may still be given to applying these procedures at a level proportionate with the incident and level of investigation required.
- 3.10 A Strategic Command rank officer, not connected to the original incident, may dictate the level and extent of the post incident procedures and enquiry carried out in circumstances other than where a death results from police actions.
- 3.11 Unless conditions 2 or 3 above are met there will be no need for a PIP to be implemented where firearms are discharged for the destruction of animals that are dangerous or are suffering unnecessarily.
- 3.12 Cases, which result in death or serious injury, will be subject to mandatory referral to the Procurator Fiscal (PF) and the PIRC.
- 3.13 Notwithstanding the foregoing the Chief Constable may refer incidents to the PIRC to consider an independent investigation of the circumstances.

4. STAGE 1 – SITUATION REPORT

- 4.1 Following the discharge of a firearm in policing operations, one of the first considerations will be the achieving of the immediate operational objectives. Authorised Firearm Officers (AFOs) will still have a duty to maintain their operational effectiveness, react to the ongoing situation and bring the incident to a safe conclusion. This applies to all firearms incidents and will include Protection operations where a balance will have to be struck between the need to protect the principal, administer first aid and the forensic preservation of evidence etc.
- 4.2 Where injuries are sustained the primary concern is the administration of first aid and medical assistance. This concern takes precedence over the recovery of evidence etc.

- 4.3 Objectives may become dynamically revised in view of altered circumstances such as the existence of injured parties or increased threat levels. The role of commanding the AFOs, who are implementing the agreed tactic, will remain with the Operational Firearms Commander (OFC), who will update the TFC when it is safe and practical to do so with a situation report. (**Stage 1 – Situation Report**).
- 4.4 Once the immediate objectives have been achieved, the TFC will make an assessment of the situation and in doing so will consider the following:
- Are persons injured and what measures have or need to be put in place to treat and extract these persons?
 - Are there any critical operational safety issues that require immediate attention?
 - Have all the relevant scenes been identified and what action is required to locate and preserve these scenes?
 - Is there an on-going threat to life or operational imperative that requires continued action from armed officers at the location of the incident?
 - What additional resources are required?
 - Has the TFC received a suitable briefing from the OFC(s) enabling them to establish the basic facts of what has taken place?
 - To what extent have the original objectives been met?
 - If the criteria for the deployment of firearms is no longer met, have arrangements begun to hand over the scene and extract the AFOs from the location?
 - Has contact been made with the Initial Investigating Officer (IIO) and Post Incident Manager (PIM), to facilitate a successful handover?
 - In the case of a death or serious injury have the on-call PF and on-call PIRC Senior Investigator been notified?
 - Has the SFC been briefed?

5. MANAGEMENT OF THE SCENE

- 5.1 The TFC retains primacy and responsibility for the scene until they deem that it is safe and appropriate that it be handed over. Where there is a time delay in the arrival of an investigator, a command decision has to be made as to how and by whom the locus should be managed.
- 5.2 The interim arrangements should enable a managed transition from the operational phase of the incident to the investigation. In this transitional phase, close liaison is essential between the TFC, the IIO and the Strategic PIP Commander.
- 5.3 To preserve evidence and maintain the integrity of any investigation, all officers, in particular AFOs who have been present throughout the unfolding

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incident, have a duty to ensure that evidence has been left in situ and remains undisturbed. This could include vehicles used to deploy AFOs, items of equipment such as trauma packs used to treat casualties and spent casings ejected from all weapons.

- 5.4 All AFOs involved should, once able to do so, carefully note their position at the time in the incident, this will assist in the provision of a more informative and accurate statement at a later time.
- 5.5 As a general rule weapons used by subjects should be left in situ and should not be cleared or their state altered. This is for forensic purposes to maintain the continuity and integrity of evidence and should always be the case unless it is absolutely necessary to move a weapon due to an immediate safety issue. If a subject's weapon has been moved then this fact and the reason for doing so should be relayed to the IIO as soon as practicable.
- 5.6 Immediately after the conclusion of the firearms operation where shots have been fired, individual officers handling weapons will make them operationally safe by applying the safety catch or holstering the weapon. Apart from this action, weapons should be left in the exact state they were in at the conclusion of the operation. AFOs at the locus, including those who have fired shots, should retain control of their weapons until they have relocated to the Post Incident Suite and begun the process of having their weapons recovered in a controlled environment. The recovery of weapons and ammunition should not normally take place at or near the incident location.
- 5.7 The overriding principle will always be that AFOs are responsible for the security and integrity of their own weapons and this will remain the case until such time as they can hand over these weapons to a suitably qualified person ready to receive these weapons at the previously agreed Post Incident Suite.
- 5.8 Officers who are injured or obviously traumatised should have their weapons removed by the OFC, or other suitably qualified person (this should preferably be someone who has not been directly involved in the discharge of firearms). This individual will then take on the responsibility of maintaining the safety and evidential integrity of these weapons. The TFC should be updated to this effect.
- 5.9 In circumstances where the vehicles used by the AFOs have played a part in the tactic, are damaged or lie within a cordoned area they are not to be removed without the express authority of the Scene Manager in consultation with the IIO and PIRC.
- 5.10 Where there is an operational imperative to remove a person, vehicle or equipment from the scene at an early stage, the reason for this should be recorded, by the TFC, along with the initial location, for the purposes of any future investigation.
- 5.11 As soon as the scene is safe and secured, AFOs involved in the incident should return to the designated Post Incident Suite where post incident

procedures will take place. Transport should be arranged after consultation with the TFC.

- 5.12 Officers should remember to avoid impromptu discussions of the incident beyond necessary operational requirements and await the commencement of procedures at the Post Incident Suite where a structured system to protect their welfare needs and facilitate the investigation will begin.
- 5.13 Where there is a requirement to discuss an urgent operational issue then officers should document this highlighting the time, date and place of discussion, issues discussed, those present and the reason for the discussion.
- 5.14 Commanders and officers should consider any impact on local or national communities following an incident and the potential need for critical incident management to be instigated by local command at an early opportunity as required.

6. THE POST INCIDENT MANAGEMENT TEAM (PIMT)

- 6.1 Post Incident Managers (PIMs) facilitate, manage and ensure the integrity of the post incident procedure. They will facilitate the PIRC investigation whilst considering the welfare of the Principal Officers and others involved. Only those officers who are occupationally and operationally competent in the role of PIM may undertake the role. The appointment of the PIM is the responsibility of the Strategic PIP Commander and they will select an appropriate officer of suitable experience and rank whilst taking into account all circumstances of the incident.
- 6.2 The PIM will also lead the Post Incident Management Team (PIMT) and will be responsible for selecting and ensuring contact is made with the PIMT.
- 6.3 Depending on the circumstances of the incident further trained PIMs will be required to support the PIM. These officers will have completed a national PIM course and be occupationally competent in the role. They will be designated as PIM (support). The number of officers carrying out this role may vary depending on the circumstances of the incident.
- 6.4 A Firearms Instructor will be required as part of the PIMT. The officer should be operationally and occupationally competent in all weapon systems deployed in the incident.
- 6.5 A Logistics officer will also form part of the team.
- 6.6 The PIM may select and appoint any further members of staff that they feel are necessary to assist them in carrying out their role.

7. THE POST INCIDENT SUITE

- 7.1 The Service has several nominated Post Incident Suites as listed in Appendix M. Stored securely at each location are suitable items of post incident equipment as shown in the [Post Incident Suite – Equipment list](#). Also within these storage places are laminated signs and a plan layout identifying the offices required during the PIP. It will be the responsibility of the PIMT to prepare the station for the arrival of the principal officers.
- 7.2 Where for any given incident another Post Incident Suite is identified, consideration should be given to equipping it in a similar manner to the nominated locations.
- 7.3 Early consideration should be given to providing a separate Faith Room and access to religious material within Post Incident Suites for AFOs who may wish to pray following an incident. e.g. Bible, Koran and prayer mat.

8. STAGE 2 – PIM BASIC FACTS

- 8.1 The post incident procedures are likely to be difficult and testing for all those involved. It is essential that a systematic but flexible approach is adopted and maintained at an early stage of the proceedings:
- 8.2 The basic sequence of events should be as follows:
- 8.3 Post Incident Management Team (PIMT) will attend the Post Incident Suite and prepare it for the arrival of the Principal Officers.
- 8.4 Sufficient rooms should be identified and secured to facilitate the different processes involved i.e. recovery of weaponry, provision of legal/medical advice etc. Suitable laminated signs are available in the Post Incident Locker within the Post Incident Suite as is a map detailing the layout of the suite; this will be available for all persons arriving.
- 8.5 Once the firearms operation has been concluded at the scene and after consultation with the TFC all officers should switch off their Airwave terminals and mobile phones.
- 8.6 In switching off their Airwave terminals, it is intended that the PIM is able to control and manage the flow of what could be distressing information. It is recognised that officers may wish to contact next of kin, friends and colleagues and this will be facilitated at the Post Incident suite. By switching off mobile phones it is intended to:
- Allow officers privacy without interruption from outwith the PIP suite;
 - Modern mobile phones are often GPS or Bluetooth enabled that may allow third parties to track the location of officers; this may be detrimental to protecting the anonymity of officers.

- 8.7 Principals will be supplied with a telephone number by the PIMT for next of kin to contact the officer. This can be used for next of kin to contact officers should that be required urgently.
- 8.8 Principal Officers attend at the Post Incident Suite and are met, if already in attendance, by the PIM, or a member of the PIMT. All officers should stay together within a single identified room. Immediate welfare concerns such as refreshments, telephone contact with family, toilet facilities, provision of washing facilities (the IIO should be consulted before officers wash to confirm that this is in line with their forensic strategy) etc can be addressed. Officers should be reminded not to discuss the incident until under the direction of the PIM.
- 8.9 The PIM may at this time allocate a pseudonym to each principal. See the [Principal Officer – Pseudonym form](#). This pseudonym will thereafter be used in all communications, statements or whenever referring to principals by all parties however the lead investigator with the PIRC should be furnished with a copy of the [Principal Officer – Pseudonym form](#).
- 8.10 The Service Medical Examiner (FME) should be contacted and will attend. All officers will then have the opportunity to have a private consultation with the FME to ensure that they are both physically and mentally capable of completing their role in the Post Incident Procedure.
- 8.11 A representative of the Staff Association and Welfare representative should be contacted and on their arrival the PIM should consider introducing them to Principal Officers and allowing access and discussion with them. PIMs should ask whether Principal Officers wish either representative to remain during the provision of initial accounts.
- 8.12 A Solicitor should be contacted; by the relevant staff association for the officers, and on their arrival the PIM should consider introducing them to Principal Officers and allowing access and discussion with them. PIMs should ask whether Principal Officers wish the legal representative to remain during the provision of initial accounts. Access will only be granted one at a time. If, during this access, an officer wishes to give an account of his/her honestly held belief in the presence of their solicitor, this will be acceptable.
- 8.13 The PIM in conjunction with the IIO should consider any request by the Principal Officer(s) to be provided with access to religious leaders i.e. Minister, Vicar, Rabbi, Imam etc.
- 8.14 The PIM is responsible for establishing the basic facts (**Stage 2 – Basic Facts**) of what happened. Where possible this should come from a source other than a Principal Officer. However it is recognised there may be circumstances where this is not possible and the PIM may require to obtain the basic facts from individuals or the group. This is most likely to occur at the Post-Incident Suite and may be (depending on legal/ medical advice) in either

verbal or written format. The basic facts obtained by the PIM should, where possible, be sufficient to:

- Confirm which officers were at the scene;
- Describe in brief the role of those at the scene;
- Confirm who discharged their weapons.

8.15 The basic facts should be confirmed with the person providing them to certify accuracy and be timed and dated by the PIM. The original should be handed to the IIO whilst the PIM and the person providing should retain a copy.

8.16 Where there is a requirement to wait for any part of the process officers should be permitted to “de-kit” and should each place their equipment in an agreed area where they have visual control over it.

8.17 Upon the arrival of production officers appointed by the IIO, arrangements should be made to hand over weapons, ammunition and productions to them. The Firearms Instructor from the PIMT should supervise the unloading of all weapons but they will only be responsible for safety and to ensure that all unloads are carried in accordance with the [Armouries SOP](#), [Firearms Ranges SOP](#) and [Armed Policing Operations SOP](#). The Production team will be responsible for the evidential recovery of the weapons and the forensic process.

8.18 Where an IIO believes that clothing is required to be taken off the Principal Officers then arrangements should be made to replace these even if that requires the purchase of suitable items.

9. STAGE 3 – PERSONAL INITIAL ACCOUNTS

9.1 Principal Officers will then be required (subject to legal/ medical advice) to provide their personal initial account (**Stage 3 – Personal Initial Accounts**). The purpose of the initial account is not to provide a detailed account but is to:

- Record their role;
- What they believed to be the essential facts and;
- Their honestly held belief that resulted in their use of force.

(Further guidance with regards the providing of accounts can be found in Appendix N).

9.2 The PIM should recognise officers with specific learning difficulties i.e. dyslexia may require appropriate support throughout the PIP process and any reasonable adjustments considered in consultation with the IIO or SIO.

- 9.3 Other aspects of the process may include the securing and preserving of evidence from Principal Officers e.g. clothing, blood etc. This should take place following any legal advice (if appropriate) and should not be delayed unnecessarily.
- 9.4 Prior to being released from duty all officers should be offered the opportunity to take part in a welfare check, however they should also be reminded that the content of a welfare check is disclosable (further guidance is available in Appendix O and current local instruction).
- 9.5 Once Principal Officers have fulfilled the requirements of the investigation and their immediate welfare needs have been met, then they should be released from duty without further delay. The PIM will liaise with the IIO prior to officers being released.

10. STAGE 4 – DETAILED ACCOUNT / EVIDENTIAL STATEMENT

- 10.1 Detailed accounts (**Stage 4 – Detailed Accounts / Evidential Statement**) should not normally be obtained immediately. Officers will be provided with at least 48 hours to detail their account, which should include, if relevant, why they considered the use of force and discharge of firearms to have been absolutely necessary.
- 10.2 The PIRC may wish to have detailed statements from officers. These statements may be taken by the PIRC or be provided by the officers themselves subject to the legal advice they receive. Where officers decide to provide their own statements then these should (except in exceptional circumstances) be submitted to the PIRC enquiry team as soon as reasonably practicable and in any case within 7 days of the incident under investigation. Where an officer decides to provide their own statement, the PIRC may take further statements in order to clarify any matters that may arise.
- 10.3 As a matter of general practice, officers should not confer with others before making their accounts. If however, in a particular case a need to confer does arise then officers must document that this has taken place, highlighting:
- Time, date and place where conferring took place;
 - The issues discussed;
 - With whom;
 - The reasons for such discussion.
- 10.4 Where an officer has concerns that the integrity of the process is not being maintained, they must document and immediately bring this to the attention of the PIM.

11. ANONYMITY AND SPECIAL MEASURES FOR PRINCIPAL OFFICERS

- 11.1 To protect Principal Officers and their families, immediate consideration needs to be given to ensuring the anonymity of officers involved in operations where police have discharged a firearm.
- 11.2 Consideration should be given to establishing measures to protect the anonymity of Principal Officers. These measures may include:
- At the commencement of the PIP process each officer may be allocated a pseudonym as per [Principal Officer – Pseudonym form](#). All principals should thereafter be referred to in all correspondence and statement by their designated pseudonym;
 - Automatic restriction of the incident on the command and control system (STORM/ CAPTOR);
 - PIM will assess if there is a necessity to removing Principal Officers details from any other forms/systems;
 - Limiting access to the Post Incident Suite and surrounding area – this may entail officers to provide security depending on the scene;
 - Liaison with the IIO/SIO/PF/PIRC in order to develop an appropriate strategy for maintaining anonymity;
 - A reminder to officers including Principal Officers of their own duty not to discuss the incident with others, which includes the use of social media etc.
- 11.3 Examples of the types of measures that may be requested in relation to anonymity in the public domain are – use of screens in court to prevent Principal Officers being identified when they give evidence, allowing Principal Officers to enter and exit court buildings avoiding public/main entrances etc. Early liaison with the COPFS should be encouraged to ensure that an anonymity strategy has been considered.
- 11.4 It must, however be made clear to officers and staff involved that anonymity cannot be guaranteed once the case is to be heard within a public forum. In such cases the preservation of anonymity is no longer within the control of the Police Service. However, in appropriate circumstances PSoS will seek to make early contact with the COPFS to seek to maintain the anonymity of Principal Officers.
- 11.5 Maintaining the anonymity of officers from a Black Minority Ethnic (BME) background may be especially difficult however, early liaison at all levels may assist in achieving this.

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- 11.6 Although each application would have to be assessed on an individual basis, recent precedent indicates that the granting of such measures for Principal Officers can be proportionate.
- 11.7 The general issues, which would help support such an application, could involve the following:
- Fears for the safety of Principal Officers and their families either due to specific intelligence or generally due to the background intelligence (for example involvement of known Organised Crime Groups (OCGs);
 - Anxiety for Principal Officers and their families regarding local and national media attention;
 - Anxiety for Principal Officers and their families caused by concerns over potential reprisal attacks;
 - Potential undermining of future covert operations by the identification of Principal Officers e.g. members of the [REDACTED] or [REDACTED] team;
 - Advice within the APP(AP) in relation to anonymity;
 - Article 8 of ECHR – Right to Respect for Private and Family Life.

12. RECOVERY OF WEAPONS

- 12.1 All weapons carried at the scene of a discharge should remain, as far as practicable, in the condition that they were in immediately after the discharge.
- 12.2 All firearms that have been discharged, operationally drawn or pointed during the operation should be identified and this information retained for the attention of the IIO.
- 12.3 The OFC is responsible for assessing the physical and emotional state of the officers under their command. Where any officer is injured, traumatised or in a state of shock the OFC should remove all weapons from that officer and pass them to another suitably trained officer, preferably one that has not been involved in the discharge. This officer will thereafter be responsible for both the safety and evidential integrity of those weapons. If the OFC is the officer concerned then it is incumbent upon colleagues to undertake these duties.
- 12.4 It is a matter for the SIO/IIO & PIRC Senior Investigator to determine which weapons require to be seized from officers deployed at any incident that results in Post Incident Procedures. The expertise of the Firearms PIMT should be sought in this process. They will arrange for a suitable location within the post-incident suite with appropriate ballistic protection available for the task. The unload procedure will be carried out by the holder of the weapons under the supervision of the Firearms Instructor from the PIMT.
- 12.5 On attending and presenting their weapons for unloading, all officers should identify themselves, and if relevant, by their previously allocated pseudonym.

- 12.6 It should be noted that the process for recording serial numbers of weapons, their condition, the exact numbers of rounds with a weapon and the order of those rounds is a very lengthy process. Experience has shown that multiple teams working concurrently greatly reduce the impact and time taken for this process to be satisfactorily concluded. Early consideration should therefore be given by the SIO/IIO/PIRC/PIM to the provision of multiple production teams to assist in the speed, with a positive consequence to welfare, of any recoveries.
- 12.7 It is the responsibility of the Production teams and not the PIMT to correctly note and label each weapon.
- 12.8 The SIO/IIO should also consult with the Firearms PIMT as to the impact to the Service following the recovery of weapons. Whilst this will not in itself impact on any decision as to whether or not to seize a weapon it will better inform any future discussion with the PIRC and/or the COPFS as to their release back to operational use.

13. CLOTHING

- 13.1 All AFOs are expected to support investigation strategies and this includes the recovery of clothing worn by Principal Officers.
- 13.2 Police uniform and equipment issued to officers remains the property of the Service. This does not remove the responsibility on investigators to show respect and tact when dealing with requests for officers to provide clothing.
- 13.3 Investigators who make requests for such clothing should provide valid reasons as to why such a request to seize clothing is being made and this should be recorded by the PIM. A desire to seize clothing simply as a contingency measure may not be seen as a valid reason. Valid reasons may include helping to strengthen assertions that officers gave immediate trauma care through existence of bloodstains on their clothing or to discredit assertions that AFOs fired at close range against subjects already under control or posing very little threat.
- 13.4 On occasions where clothing is requested the PIM will discuss the rationale with the SIO/IIO & PIRC Senior Investigator, before explaining the decision with the Principal Officers concerned and recording it in their policy log. The decision as to which items of clothing should be seized is one for the SIO/IIO & PIRC Senior Investigator.
- 13.5 If there is no dispute as to who fired shots there would normally be no requirement to use the recovery of clothing and swabbing for gunshot residue as a measure to try and identify these officers. AFOs generally train wearing operational clothing and also come into contact with others likely to be “contaminated” with gunshot residue. It is, therefore, highly unlikely that

clothing seized for the purpose of examination for gunshot residue would provide useful evidence for the investigation.

- 13.6 If clothing is seized, officers must have suitable alternative clothing made available. This will include any faith or religious requirements as necessary. There are three appropriate alternatives:
- Officers may elect, where appropriate, to have their own clothing made available as a replacement;
 - Within opening hours, stores should be contacted to make replacement uniform available;
 - Out with normal opening times arrangements may have to be made to purchase suitable replacement clothing. [Principal Officer-clothing list form](#) should be completed and arrangements made through via the Service Finance Department for suitable recompense or authorisation codes for procurement.
- 13.7 The use of paper suits or similar is not appropriate in most circumstances however they may be considered as an interim measure until more suitable clothing is available e.g. in circumstances where officers clothing has been contaminated with bodily fluids.
- 13.8 Personal clothing cannot be classed as the property of the Service and therefore cannot be seized unless as evidence. In such cases, which should be considered as only applicable in exceptional circumstances, PIP protocols would be superseded by strict legal requirements. These requirements are the same as those, which would be afforded to any criminal investigation.
- 13.9 Early consideration should be given to religious clothing of BME officers and how it is taken, as per the faith/religion and any requirement for replacement clothing or jewellery personal to their faith or religious beliefs, e.g. Sikh officers requiring a turban.

14. SAMPLES

- 14.1 AFOs often train in their operational clothing and come into contact with other AFOs who are in the same position. Therefore, the evidential value of swab samples is likely to be limited.
- 14.2 All AFOs make a positive declaration as to their fitness to carry out AFO duties at their commencement of these duties and this encompasses the presence of drink or drugs.
- 14.3 However it is the decision of the SIO/IIO or PIRC Senior Investigator alone as to whether samples should be requested or required from officers. Where he /she considers that swab samples are necessary, then the rationale and justification for this should be made clear to the PIM and in turn to the officers. This rationale should be recorded by the PIM and the SIO/IIO & PIRC Senior

Investigator in their respective policy books. Principal's who are subject to such requests may request legal advice as part of their decision making process.

14.4 SWAB SAMPLES

- 14.4.1 If officers are requested rather than required to provide swab samples, they need only comply if they consent with this course of action. Officers may wish to consider that agreement to such requests can demonstrate transparency and willingness to assist the investigation however no adverse inference can be drawn from a refusal and appropriate legal advice should be sought prior to any provision.
- 14.4.2 The taking of swab samples to identify those officers contaminated by firearms discharge residue should only be adopted in exceptional circumstances. If officers are suspects, swab samples can only be required in accordance with the [Criminal Procedure \(Scotland\) Act 1995](#).

14.5 DRUG AND ALCOHOL TESTING AND FORENSIC ELIMINATION SAMPLES (DNA)

- 14.5.1 The rationale for considering taking a sample from Principal Officers has traditionally been to enable investigators to confirm or negate the presence of alcohol and or drugs that may have impaired an AFO.
- 14.5.2 The rationale for considering taking DNA samples from Principal Officers could be in order to obtain elimination samples. This would be part of a wider examination of an incident scene where Principal Officers' DNA may be present alongside suspects and other witnesses.
- 14.5.3 Forensic samples should be considered on a case-by-case basis. An incident may reveal that fibre transfer or footwear marks etc are crucial to the investigation and will help to provide a truthful and accurate account of what happened. All requests should be relevant, borne out of a sound rationale, documented and subject to legal advice where appropriate.
- 14.5.4 No adverse inference should be drawn if an officer declines to give a sample when requested to do so.
- 14.5.5 Officers should, therefore, not be routinely asked to provide blood or DNA samples. Where an SIO/IIO/PIRC does consider it necessary to make a request from officers for a blood or DNA sample, then the rationale and justification for this should be made clear to the PIM and in turn to the officers. This rationale should be recorded by the PIM and the SIO/IIO/PIRC Investigator in their respective policy books. Principals who are subject to such requests may request legal advice as part of their decision making process.

- 14.5.6 The power to require such samples comes from the [Criminal Procedure \(Scotland\) Act 1995](#) (Blood) & (DNA).
- 14.5.7 Nothing in this section should preclude an officer being given the opportunity to voluntarily provide a blood sample or DNA sample where the officer initiates the request.

15. INVESTIGATIONS

- 15.1 The Strategic PIP Commander will facilitate the initial enquiry and will appoint an IIO in the first instance.
- 15.2 Under the provisions of the [Police and Fire Reform \(Scotland\) Act 2012](#) any death or injury involving the police use of firearms will initially require to be referred to the PF. The PF may then direct an independent investigation by the PIRC. Under ECHR it is a requirement for a death or injury involving the use of police firearms to be investigated independently and the PIRC investigation meets the requirements of independence. The Police Service will provide assistance in the course of the investigation to satisfy the needs of the independent PIRC investigation.
- 15.3 The IIO will take the necessary actions to preserve evidence and maintain the integrity of any investigation until such time as the PIRC Senior Investigator is in a position to receive formal handover of the investigation. Early communication between the IIO and PIRC is essential to ensure that the test of independence can be rigorously applied from the outset. The PIRC Senior Investigator will commence a log of information provided, decisions and directions from the outset. Any delay in notifying the PIRC is likely to attract criticism about the independence of the investigation. PIRC will deploy at the earliest opportunity to the scene, but may issue direction prior to their arrival.
- 15.4 There may be circumstances where the original incident involving the discharge of a firearm during policing operations came about as a direct result of the existence of subjects involved in the commission or attempted commission of crime. In these circumstances the investigation will be conducted with a dual emphasis:
- The investigation into criminal offences allegedly committed by the subject(s) of the original police operation;
 - The investigation by the PIRC into the discharge of a firearm by police.
- 15.5 In such situations, the investigators for the original crime will retain control of their investigation; however they will be required to work in conjunction with the SIO/IIO/PIRC investigating the discharge by police. This is especially pertinent when dealing with the scene where it is impractical to expect that several examinations of the scene will take place. Discussion between the SIO responsible for the Crime Scene and the PIRC will be required to ensure

that the evidential needs of both are understood. One examination may accomplish the requirements of all interested parties.

16. PERSONAL PROTECTION OPERATIONS

- 16.1 Where armed officers acting in the course of their duty to protect a VIP, discharge their weapons in the course of protecting that person, they should be afforded every facility to ensure the safety and security of their Principal, including where necessary, departure from the scene of the incident. The safety and security of the Principal will take precedence over the demands of post-incident procedures.
- 16.2 Such an incident should be considered 'live' until all parties, i.e. the Personal Protection Officer and the Team Leader are satisfied that the incident is over, that the protected person is appropriately located and that sufficient protection and support facilities are in place. Only when this is achieved should instructions regarding post incident procedures be instigated in respect of the protection officers.
- 16.3 This may, at times, include officers from other forces or foreign police officers who have been granted authority to possess a firearm in this country, for protective purposes, and who are working in conjunction with their British counterparts. In these circumstances the procedures highlighted in the cross-border procedures should be followed.
- 16.4 Nothing herein is intended to hinder the post incident enquiry as required under Article 2 ECHR but rather this is seen as a necessary, proportionate and justified balancing of the needs of the enquiry against the Article 2 rights of the protected person. Best practice would suggest that a member of the protection team would remain at the scene but it is recognised that this may not be possible in every circumstance; in this instance other resources may be appropriate e.g. an ARV, may be appropriately deployed to the scene to control it and secure any forensic evidence available.

17. CROSS BORDER INCIDENTS

- 17.1 Guidance for the occasions when AFOs from one Force deploy across borders into neighbouring Forces are already covered in the [APP\(AP\) Module 5](#).
- 17.2 Where a cross border incident has resulted in Post Incident Procedures being instigated involving Police Service of Scotland AFOs as Principal Officers, the basic principles for the management of the incident remain unaltered.
- 17.3 The main issues arising out of such an incident would centre upon Command protocols and the ownership of the subsequent enquiry. Examples could include:

- Location of the PIP (PSoS or host Force);
- Provision of SIO / IIO (PSoS or host Force);
- Provision of PIM (PSoS or host Force or both).

- 17.4 The resolving of issues such as those mentioned above would be the responsibility of Strategic Command rank officers from PSoS and the host Force. The SFC for the firearms operation would not normally be the officer best suited to conduct initial discussion with the host Force's Strategic Command officer as to their role in that operation may well be one of the issues to be enquired into. In the interests of a transparent enquiry best practice suggests that another Strategic Command rank officer who is not involved in the operation should carry out this discussion.
- 17.5 This is particularly true of PSoS AFOs operating in England and Wales where the different legal system and investigating authorities would pose an initial challenge.
- 17.6 As a general rule, the host Force would take ownership of the incident and the Post Incident Procedure with the assistance of a PIP team from PSoS. In all probability this would involve the use of PIMs from both Forces with the PSoS team assisting that of the host Force and overseeing the needs of the principals.
- 17.7 Notwithstanding any of the above, where a PSoS AFO discharges a firearm then a PIP team from PSoS will be appointed.

18. MEDIA

- 18.1 Subject to any operational concerns, a cooperative, pro-active and open media strategy should be adopted from the outset. The media strategy should be agreed in consultation with the PIRC. In all incidents involving a shooting by police the subsequent investigation will be independently controlled by the COPFS who will also therefore control the media strategy.
- 18.2 However, notwithstanding this, during the initial phase of the investigation there will be a period when the PF will not be in a position to control the media strategy and the onus will be placed on the SIO in conjunction with the designated Strategic Command officer and the PIRC Senior Investigator. It is highly likely that the initial holding statement will be formulated by the Corporate Communications/Media Services Department in conjunction with the SIO/Strategic Command officer and the PIRC Senior Investigator/media manager.
- 18.3 After consultation a clear factual account of the incident should be provided to the media at the earliest opportunity but extreme care should be taken not to prejudice any subsequent judicial proceedings. Likewise, careful consideration should also be given to ensuring that the language used in the media statement does not create a perception around the status of officers or

what has taken place. The roles and responsibilities around any independent investigation should be made clear to the media from the outset and guidance around this will come from the PIRC.

- 18.4 A pro-active attitude to media relations can build a positive relationship with the media who in turn are more likely to alert the police regarding forthcoming articles in the press. This allows notice to principals and their family that can lessen the effect of the articles.
- 18.5 The PIM will liaise closely with the Service Corporate Communications/Media Services Department to ensure that the media strategy aids and supports the welfare strategy put in place for Principal Officers. This liaison does not suggest that the PIM becomes involved in drafting the media strategy but rather that they ensure that Principal Officers are kept updated on its contents. This is especially important when it becomes clear that other media agencies are about to release names of officers or other personal details. Corporate Communications should endeavour to prevent this and also advise the PIM when such items are about to be released. They should also be in a position to make representations on behalf of Principal Officers and their families when unwanted media releases are expected.
- 18.6 Officers involved in the incident should avoid discussing the incident with other personnel not involved unless there is an operational need to do so. This is to help prevent uninformed rumour and conjecture whilst helping to maintain the anonymity of the Principal Officers.
- 18.7 Social media is widely used by all sections of society and police officers are no different. Officers should be aware that any photographs or information that appear in officers profiles on social media sites are available to be used by the media in any post incident press coverage. Officers should therefore exercise extreme caution with what is displayed on such sites and should be aware that inappropriate use of these sites may lead to disciplinary proceedings. For similar reasons caution should be exercised when discussing any incident via social media.

19. WELFARE STRATEGY

- 19.1 The Chief Constable has a duty of care to ensure the welfare and wellbeing of all staff in their organisation.
- 19.2 The discharge of a firearm in policing operations will attract public and media interest; this level of interest may increase the levels of stress and anxiety felt by Principal Officers.
- 19.3 Immediate welfare considerations should form part of the early settling period of the PIP process. Principal Officers should be allocated a suitable room isolated from persons not involved in the process. Refreshments, toilet facilities and spare clothing etc should be made available as previously

highlighted. The PIM should ensure that these basic welfare considerations are met at this stage.

- 19.4 Principal Officers should be allowed to talk freely as part of the settling period, however, they should be advised that all conversations are potentially disclosable and therefore discussion of the incident should be avoided.
- 19.5 Actions should be taken to prevent the inadvertent passing of information by police radios or other means and it is for this reason that Airwave terminals will be switched off. This will prevent such things as hearing information concerning medical updates or search results being overheard by Principal Officers. Such information where appropriate should be passed in a controlled manner by the PIM.
- 19.6 Principal Officers should be allowed to make contact with their family or partners if they wish to make them aware of the incident but their mobile phones should be switched off, on arrival at the post incident suite. This is to minimise the disruption to the other officers in the suite.
- 19.7 Immediate consideration should be given to the steps required, to protect Principal Officers' anonymity.
- 19.8 A welfare check will be carried out prior to the officers going off duty. The officers will however be reminded that this session is disclosable and relevant guidance is included in Appendix Q.
- 19.9 The use of support networks is also to be encouraged as an integral and important part of the Psychological First Aid.

19.10 PRINCIPAL OFFICER WELFARE STRATEGY

- 19.10.1 Principal Officers should be subject to an individual welfare strategy developed by their Line Management structure in consultation with the PIM. A risk assessment will be made and documented for each individual officer. From this assessment, a bespoke welfare strategy will be created tailored to the individual needs of each officer.
- 19.11 All officers involved in an incident where firearms have been discharged by police officers whether or not they are Principal Officers, should be able to receive support from the Occupational Health Unit or professional health advisor. The officer's line management in consultation with the PIM should access this.
- 19.12 The first documented welfare strategies will be made by the PIM in conjunction with Operational Support, Armed Policing or Divisional supervisors. It will cover the immediate period from the termination of the initial PIP process to the officer's next tour of duty (or agreed contact with the officer's line management). The issues, which could need actions, are:

- What arrangements are in place to get the officer home?
- What does the officer's partner (or other relatives) know about the incident? Is there a requirement to offer advice to relatives to allay fears/concerns?
- If the officer lives alone are arrangements for closer contact by a friend/colleague necessary?
- Is a period of special leave in the officer's best interests? For example where an officer lives alone, he/she may prefer to be with their colleagues.
- Has the date and time of the next tour of duty been agreed and does it allow for a suitable period of rest following the previous tour of duty?
- Is the officer aware of what media release(s) have been prepared and what is in place to warn the officer of subsequent media releases?

19.13 The officer's line management will work in conjunction with the PIM over the welfare strategy once the initial PIP's have taken place. There may well need to be a degree of organisational flexibility to ensure that the needs of the officer are met.

19.14 The PIM is responsible for conducting regular reviews of each officer's welfare strategy. Key issues such as media releases, investigation updates, issues over anonymity, officer and family reactions etc should form the basis of revised risk assessments and subsequent reviews of strategy.

19.15 Experience has shown that as time passes regular contact should be made with Principal Officers even where it is to inform them that there is no update.

19.16 If officers are utilising the services of the Occupational Health Unit then this should continue and be encouraged. Such contact should not be seen to be in conflict with the measures and strategies put in place by the officers' supervisors or PIM.

19.17 The Principal Officers should always be part of the review process. This could extend to their family if necessary. A policy of openness and transparency should be the mainstay of any reviews.

20. OFFICER'S FAMILIES AND HOMES

20.1 Officers' families are likely to be as vulnerable, if not more vulnerable, than the Principal Officer. They will only have their family member (Principal Officer) as their point of information and may suspect that they are only receiving a watered down or even distorted version of events in order to protect them from the harsh reality of the situation. This inevitably places

further pressure upon the Principal Officer and can have a detrimental effect on relationships.

- 20.2 Inaccurate media reporting will exacerbate the issue and as such it is therefore that when the Service is pre-warned of any impending coverage that this is communicated to the officer and their family.
- 20.3 Consideration should be given, as to what extent welfare, medical and professional support should be extended to Principal Officer's families. Their families could be alerted to the possible reactions of those involved in such incidents and they should be afforded the opportunity to discuss the situation with the Wellbeing Unit or a representative from the Firearms Unit.
- 20.4 There may be circumstances where the welfare strategy risk assessment highlights serious concerns about the safety of Principal Officers and their families. This could be as a result of intelligence about a specific threat or general concerns over the threat level posed by career criminals or gangs involved in the original police shooting. In these circumstances, extra forms of protection such as panic alarms and other forms of security would require to be considered. Where they are required the force should meet the additional cost of such measures.
- 20.5 Consideration should be given to additional support for AFOs from protected groups who may be ostracised by other members of their faith or community following an incident.

21. REMOVAL FROM FIREARMS DUTIES

- 21.1 A Principal Officers firearms authorisation should not automatically be permanently withdrawn, nor should they automatically be excluded from firearms training, with the exception at paragraph 21.3 below. However account will have to be taken into the circumstances of the incident and the Superintendent Armed Policing in consultation with the PIM/SIO may decide to withdraw officers from operations or training as they deem appropriate which will be documented by both the PIM and the Superintendent Armed Policing.
- 21.2 AFOs in the police service are volunteers and as such in a post incident scenario officers may request that they are temporarily or permanently withdrawn from firearms duties. This is a decision for the individual and may be an appropriate response to what may well be a traumatic and stressful incident.
- 21.3 All officers who are at the scene of a discharge will have their authorisations temporarily suspended in order to allow the following:
- A referral to be carried out to the Wellbeing Unit for a hearing test.
 - The officer and their supervisors to make a balanced assessment of any further welfare considerations that may be necessary.

- 21.4 Any decision to remove an officer from operational firearms duties should be regularly reviewed and documented (at least monthly) by the Superintendent Armed Policing, in consultation with the appropriate investigative authority.
- 21.5 If circumstances dictate that an officer be suspended from duty then the officer should continue to receive the full support of the PIM. As a general rule the officer should still have access to close friends within the Police Service but in any case should still continue to receive appropriate medical and welfare support.

22. ROLES AND RESPONSIBILITIES

- 22.1 The Post Incident roles and responsibilities are contained within [APP\(AP\) Module 7](#) and are also detailed in task cards at Appendix P.

LIST OF ASSOCIATED LEGISLATION

The procedures described in this document are founded on the provisions of:

- [United Nations Code of Conduct for Law Enforcement Officials](#);
- [European Convention on Human Rights](#);
- [Equality Act 2010](#);
- [Health and Safety at Work Act 1974](#);
- [Police Health & Safety Act 1997](#);
- [The Management of Health Safety at work Regulation 1999](#);
- [Criminal Procedure \(Scotland\) Act 1995](#);
- [Police and Fire Reform \(Scotland\) Act 2012](#).

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LIST OF ASSOCIATED REFERENCE DOCUMENTS

- Armed Policing Policy;
- The ACPO Authorised Professional Practice (Armed Policing) (APP(AP))
- The ACPOS Statement of Intent on the Police Use of Firearms and Less Lethal Weapons in Scotland;
- The National Police Firearms Training Curriculum;
- Firearms Strategic Threat and Risk Assessment.

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APPENDIX 'K'

LIST OF ASSOCIATED GENERIC PSOS FORMS

- Principle Officers – Clothing List;
- Principle Officers - Pseudonym
- Post Incident Suite – Equipment List;

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GLOSSARY OF TERMS

ACPO	Association of Chief Police Officers
AFO	Authorised Firearms Officer – an officer trained in the use of police firearms and tactics.
APP(AP)	Authorised Professional Practice (Armed Policing) - an ACPO/ COP publication giving generic guidance to those involved in planning and conducting firearms operations.
ARV	Armed Response Vehicle – a vehicle crewed by AFOs who have immediate access to firearms. ARV officers are trained in additional firearms tactics.
CED	Conducted Energy Device – Taser.
CFI	Chief Firearms Instructor – is responsible for firearms training in the Force or in his/her absence the Deputy Chief Firearms Officer.
COPFS	Crown Office and Procurator Fiscal's Office.
COP	College of Policing (formerly NPIA).
CPO	Close Protection Officer – AFO's trained in protection skills.
ECHR	European Court of Human Rights
IIO	Initial Investigating Officer.
NPFTC	National Police Firearms Training Curriculum.
OCG	Organised Crime Group.
OFC	Operational Firearms Commander.
PF	Procurator Fiscal.
PIM	Post Incident Manager - An officer trained and accredited to facilitate command firearms operations post incident procedures.
PIMT	Post Incident Management Team
PIP	Post Incident Procedure
PIRC	Police Investigations and Review Commissioner.

- PSoS** **Police Service of Scotland**
- SFC** **Strategic Firearms Commander** – An officer trained and accredited to command firearms operations at a strategic level.
- STRA** **Strategic Threat and Risk Assessment.**
- TFC** **Tactical Firearms Commander** - An officer trained and accredited to command firearms operations at a tactical level.
- TFA** **Tactical Firearms Advisor** – An officer trained to provide advice to commanders on firearms tactics.



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POST INCIDENT SUITE LOCATIONS

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Post Incident equipment boxes are located at each PIM suite and can be transported to another location if required.

PROVIDING ACCOUNTS – FOUR STAGES

For sake of clarity the provision of accounts is broken into four stages.

Officers should be in a position to obtain legal/ medical advice prior to providing Stages 2 to 4 (inclusive) should they wish to.

Where a Principal Officer is unfit to make a personal initial account then it will not be appropriate for Stage 3 to apply.

When an officer is suspected of a criminal or misconduct offence then Stages 3 to 4 will not apply.

Stage 1 - Situation Report

Following discharge of a weapon the Tactical Firearms Commander (TFC) must be informed immediately. This will normally be provided by the OFC, but not necessarily so, and is designed to enable the TFC to manage the ongoing incident and assist them to discharge their post- incident responsibilities.

Stage 2 - PIM Basic Facts

Where possible this should be from a source other than a Principal Officer and should be limited to confirming which officers are present at the scene, a description (in brief) of their role and a confirmation of who discharged their weapons. This may be in verbal or written format and may be in the presence of a staff association member.

The OFC is often the most appropriate person to provide this account but flexibility is required depending on the circumstances.

Stage 3 - Provision of Personal Initial Accounts

Prior to the provision of an initial account Principals should have had access to medical welfare systems and legal advice.

The purpose of this initial account is to allow for a period of re-orientation whilst obtaining a factual account from Principal Officers, allowing them to provide their individual recollection of events and to record what their honestly held belief of the situation was at the time force was used. The initial account should not include detailed threat assessments or detailed moment-by-moment descriptions of individual involvement in the incident.

The contents of the initial accounts should not be confused with that of a formal written statement where a detailed account is provided. A formal written statement will be made subsequently when all Principal Officers have had time to fully consider what has occurred.

This personal initial account is designed to provide the IIO/PIRC with sufficient information to enable them to conduct the initial stages of an effective investigation. It should be borne in mind that Principal Officers may be witnesses to criminal offences e.g. a crime in action committed by subject(s) and as such investigation teams may have the added pressure of detention rules and time limits.

The initial accounts will be provided individually. The PIM will instruct those Principal Officers present not to provide a detailed account but to record their role, what they believed to be the essential facts and should, where relevant, outline the honestly held belief that resulted in their use of force.

The PIM should remind Principals not to discuss or confer with others before making their accounts. The important issue is to individually record their honestly held belief of what the situation was at the time force was used. There should therefore be no need for an officer to confer with others about what was in their mind at the time force was used. If however, in a particular case a need to confer on other issues does arise, then, in order to ensure transparency and maintain public confidence, where some discussion has taken place, officers must document the fact that this has taken place highlighting:

- Time date and place where conferring took place;
- The issues discussed;
- With whom;
- The reasons for such discussion.

There may be occasions when CCTV footage or police video footage of an incident exists. Where such footage exists, Principal Officers should not be allowed to view the footage as part of the PIP process. The viewing of any visual recording could potentially influence recall of an incident. The viewing of footage could lead to Principal Officers recollections and perceptions at the time of the incident being influenced and could be the subject of significant comment and criticism at any future proceedings.

Once the PIM has obtained the Principal Officers initial accounts, arrangements will be made to ensure that these accounts are immediately made available to the IIO/PIRC.

Stage 4 - Principal Officers' Statements

Principal Officers detailed accounts or statements should not be completed during the initial stages of the PIP process. A period of reflection to allow thoughts and memories to settle is recognised as beneficial after a stressful and traumatic incident. This is commented upon in the APP(AP) Module 7 as a period of at least 48 hours.

Notwithstanding the foregoing, following provision of an initial account Principals may wish to provide a detailed account or written statement and subject to any legal or medical advice this should be permitted.

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Where there are considerations of anonymity for Principals the use of video recorded interviews should be carefully considered before use. Consideration should also be given to allowing Principal Officers to provide a statement to specially trained and qualified PIRC Investigators, or in circumstances where there is a separate criminal investigation being carried out by Crime Division a specially trained CID officer. The purpose of this would be to help Principal Officers to create a statement that provides the best evidence for the investigation.

Statements should be submitted to the enquiry team, (except in exceptional circumstances) as soon as reasonably practicable and in any case within 7 days of the incident under investigation.

All Principal Officers and other officers involved in the PIP must understand and be guided by the general principles regarding disclosure.

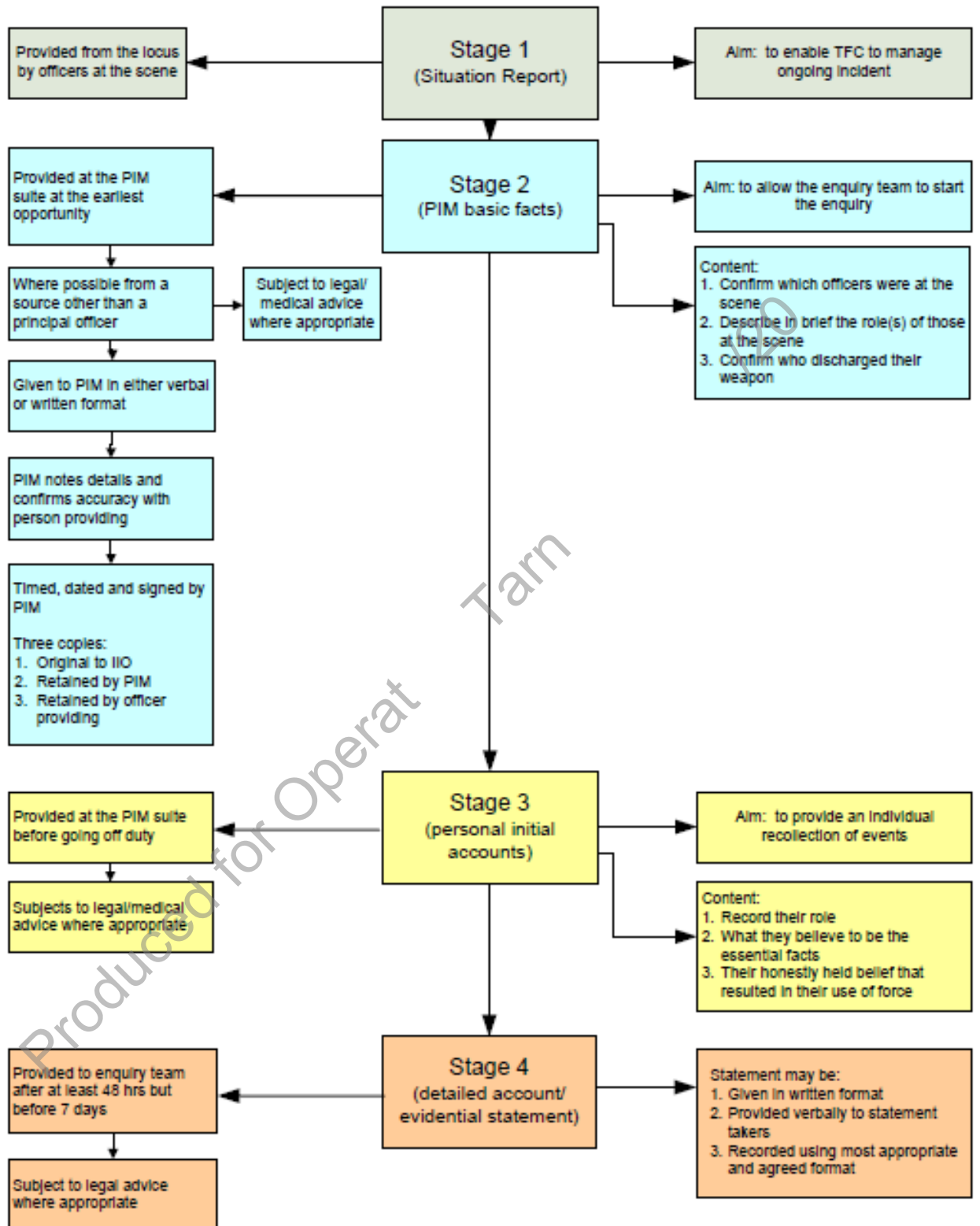
All conversations (excepting those covered by legal privilege) are potentially disclosable. Principal Officers should be informed at an early stage that discussions about the incident should be avoided until the PIP process has begun.

All notes or recordings made during the PIP, and after, are potentially disclosable. This would not only include the provision of initial accounts but also any forms of therapeutic debriefing (welfare check). The only privilege that the law recognises is that which exists between lawyer and client.

All officers have a duty to record, retain and produce any information that may be relevant to the investigation.

The originals of all notes (formal or informal) and all documents or other material collected as part of PIP process will be provided to the PIRC. Copies may be retained the police.

POST INCIDENT OFFICER ACCOUNTS



Notes:

1. Where a principal officer is unfit to make a personal initial account then stage 3 will not be appropriate
2. Where a principal officer is suspected of a criminal or misconduct offence then stages 3 and 4 will not apply

PIMT – GUIDANCE

As previously discussed the discharge of a firearm may be a traumatic experience for many of those involved and not just the principals. There will therefore be a requirement to complete a welfare check for all officers involved. This Appendix is intended as guidance for the PIMT to assist in the initial stages of the procedure.

The PIP must take into account the welfare and psychosocial needs of the officers involved. This intervention will be based on the principles of Psychological First Aid (PFA), which is agreed to be best practice in the immediate aftermath of a distressing and/or potentially traumatic experience. The seven components of effective PFA are listed below. There is no particular order to follow, as the order will depend on the individual and the incident:

1. Practical help;
2. Comfort and console distress;
3. Education on normal responses to trauma. This involves two essential elements;
 - a. Recognising the range of reactions;
 - b. Respecting and validating the normality of the post trauma reaction;
4. Protection from further threat and distress;
5. Furnish immediate care for physical needs;
6. Support for real-world-based tasks;
7. Facilitation of reunion with loved ones.

The PIP process is designed to address these seven components.

A welfare check will be completed when staff, have completed a traumatic task before they go off shift by their line manager. In a PIP the PIM will be responsible for carrying this out but officers should be reminded that the welfare check may be disclosable.

The following is included for guidance for the PIM carrying out the welfare check:

“THANK YOU FOR YOUR EFFORTS TODAY.

Just a brief word:

Adjusting after incident is the key;

Doing routines – check for change, going back to before: e.g. exercise, sleep, activity;

Judging the incident – it is normal to review your performance after a difficult incident. Self-criticism can often be distorted;

Use trusted others to talk – internal self-talk may be unhelpful;

Sleep is key. If it doesn't settle then let key others know.

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POST INCIDENT PROCEDURES - TASK CARDS

THE POLICE SERVICE OF SCOTLAND	POST INCIDENT COMMAND
PIP STRATEGIC COMMANDER	
Title:	PIP Strategic Commander
Responsible to:	
Job Purpose:	Overall responsibility for the post incident process

TASK

Provide strategic responsibility for PIP	Ensures investigation and welfare procedures are implemented; Appoints PIM; Appoints IIO; Ensures that Principal Officers are identified; Considers referral to the independent investigative authority; Subject to referral to the independent investigative authority, agrees the media strategy; Ensures all relevant information is recorded.
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THE POLICE SERVICE OF SCOTLAND	POST INCIDENT COMMAND
STRATEGIC FIREARMS COMMANDER	
Title:	Strategic Firearms Commander
Responsible to:	PIP Strategic Commander
Job Purpose:	Strategic responsibility for the initial firearms incident and initial PIP

TASK

Provide strategic command of initial PIP	<p>Remains in a position to maintain command until the strategic intention of the operation is achieved, or they are relieved;</p> <p>Continues to be available to the Tactical Firearms Commander, if required;</p> <p>Informs the PSoS Executive or delegated senior officer of the incident;</p> <p>Ensures all relevant information is recorded.</p>
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THE POLICE SERVICE OF SCOTLAND	POST INCIDENT COMMAND
TACTICAL FIREARMS COMMANDER	
Title:	Tactical Firearms Commander
Responsible to:	Strategic Firearms Commander
Job Purpose:	Tactical responsibility for the initial firearms incident and initial PIP

TASK

Provide tactical command of initial PIP	<p>Remains operationally active until stood down;</p> <p>Ensures that the scene is protected and that evidence is preserved until the arrival of the IIO;</p> <p>Considers the safety of the public, police personnel and the immediate welfare of casualties;</p> <p>Considers which officers are to be treated as Principal Officers (in conjunction with the PSoS Executive or delegated senior officer, IIO and PIM); Ensures transfer of AFOs to relocation point and assists in identifying Principal Officers;</p> <p>Establishes the facts of what has taken place and ensures that all relevant information is recorded;</p> <p>Informs the force control room and the Strategic Firearms Commander of the incident;</p> <p>Determines the rendezvous point (RVP) for incoming resources;</p> <p>Briefs and formally hands over to the IIO;</p> <p>Briefs the Strategic Firearms commander</p>
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THE POLICE SERVICE OF SCOTLAND	POST INCIDENT COMMAND
OPERATIONAL FIREARMS COMMANDER	
Title:	Operational Firearms Commander
Responsible to:	Tactical Firearms Commander
Job Purpose:	Operational responsibility for the initial firearms incident and initial PIP

TASK

Provide operational command of initial PIP	<p>Remains operationally active until stood down;</p> <p>In the absence of the Tactical Firearms Commander, ensures that the scene is protected and that evidence is preserved until the arrival of the IIO;</p> <p>Should ensure that the weapon(s) or perceived weapon of the subject is located and secured in situ, unless it is dangerous to do so;</p> <p>Ensures a weapon safety check is carried out by officers;</p> <p>Liaises with the IIO and, where necessary, with the involvement of the scenes of crime officer supervises the unloading of the weapons and identifies which weapon was carried by each officer.</p>
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THE POLICE SERVICE OF SCOTLAND	POST INCIDENT INVESTIGATION
INITIAL INVESTIGATING OFFICER	
Title:	Initial Investigating Officer
Responsible to:	PIP Strategic Commander
Job Purpose:	Responsibility for the initial investigation of the firearms incident, to preserve evidence and scene management and initial PIP

TASK

Provide initial scene management and preservation of evidence	<p>Has early dialogue with the independent investigative authority to agree responsibilities and key actions;</p> <p>Opens a policy log and ensures all relevant information and decisions are recorded, including issues of anonymity;</p> <p>Agrees initial terms of reference with the PSoS Executive or delegated senior officer;</p> <p>Identifies and preserves evidence;</p> <p>Ensures effective scene management;</p> <p>Considers which officers are to be treated as Principal Officers (in conjunction with the PSoS Executive or delegated senior officer, PIM and Tactical Firearms Commander);</p> <p>Identifies and considers relevant national guidelines;</p> <p>Liaises with the Tactical Firearms Commander as to initial action at the scene;</p> <p>Liaises with chief officers as to media policy;</p> <p>Liaises with and consults the PIM and makes early contact with the appointed investigator from the independent investigative authority;</p>
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	<p>Carries out those enquiries deemed urgent and those that may assist in the collation of evidence which may be lost prior to the arrival of the investigator from the independent investigative authority;</p> <p>Agrees initial objectives in relation to forensic evidence;</p> <p>Makes early contact with the pathologist (where appropriate);</p> <p>Liaises with the scientific support coordinator.</p>
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THE POLICE SERVICE OF SCOTLAND	POST INCIDENT MANAGEMENT
POST INCIDENT MANAGER	
Title:	Post Incident Manager
Responsible to:	PIP Strategic Commander
Job Purpose:	To facilitate, manage and ensure the integrity of the Post Incident Procedure where the principal officers needs are addressed in a manner which does not compromise the investigative process.

TASK

To facilitate, manage and ensure the integrity of the post incident procedure.	<p>Opens a policy log and ensures all relevant information and decisions are recorded in it;</p> <p>Considers which officers are to be treated as Principal Officers (liaise with Tactical Firearms Commander to establish);</p> <p>Establish immediate contact with the Principal Officers and ensures that they are given immediate support;</p> <p>Advise all relevant staff that PIPs have been implemented and explains the PIM role;</p> <p>Considers whether to assign a member of the PIM team to each Principal Officer;</p> <p>Take measures to ensure the physical and emotional wellbeing of the staff involved</p> <p>Meets the IIO or any representative from the independent investigative authority and outline the role of the PIM;</p> <p>Considers the attendance of a doctor or health adviser;</p> <p>Ensures access to telephones to</p>
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	<p>enable officers to contact relatives or friends;</p> <p>Informs the following departments and agencies to attend, if required Occupational Health and Welfare Unit Doctor or Force Medical Examiner (FME) Staff Associations as appropriate;</p> <p>Ensures that any necessary forensic procedures are dealt with as early as possible and that officers are fully informed of the relevance of the procedures (for example, the seizure of exhibits);</p> <p>Secures early legal advice or representation if requested;</p> <p>Ask principal officers if they wish clothing provided from PIM suite, their own clothing collected from their place of work or from their home (contact to be made with relatives/friends who will deliver or arrange to collect);</p> <p>Ask principal officers if they wish to be provided with any update(s) on the injured parties condition : and policy log decision;</p> <p>Facilitate the Process in which officers Provide Initial Accounts and ensures these are provided to the IIO;</p> <p>Maintain dialogue with the IIO and address issues with them, including Press Releases and the progress of the investigation;</p> <p>Advises Principal Officers of their responsibilities regarding the discussion of the incident with colleagues;</p> <p>Regular updates to staff involved;</p> <p>Contact Director of Corporate Communications to formulate media</p>
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	<p>response;</p> <p>Principal officers to be provided with individual interview to ascertain their placement during period of temporary withdrawal from firearms related duties. To be specific to their career development, conducted by the Chief Firearms Instructor and policy logged;</p> <p>Where principal officers are placed in non-firearms related roles, supervisors are to be fully briefed re circumstances and appropriateness of allocated duties e.g. recovery of bodies, missing persons, suicides etc;</p> <p>Hearing test/medical examination to be arranged with OHWU within 72 hours;</p> <p>Each principal officer and their family to be referred to Employee Wellbeing Programme;</p> <p>Appoint Family Liaison Officer and policy log;</p> <p>PIM to brief OHWU re referral of officers;</p> <p>Meeting with SIO to explain investigation strategy to be arranged within 96 hours of incident;</p> <p>Notification to ACPO Armed Policing;</p> <p>Chief Inspector AP Operations to conduct formal operational debrief on receipt or PIRC Report?;</p> <p>Quality Assurance check of PSoS Action Plan to be conducted or co-ordinated through ACPO Armed Policing;</p> <p>Chief Inspector AP Operations to provide PSoS Action Plan response to PIRC.</p>
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THE POLICE SERVICE OF SCOTLAND	POST INCIDENT INVESTIGATION
ARMED POLICE TRAINING SUPPORT TEAM	
Title:	AP Training Support Team
Responsible to:	PIM
Job Purpose:	To co-ordinate, facilitate, and manage the post incident process under the guidance of the Post Incident Manager.

TASK

Provide assistance to the PIM in coordinating, facilitating the PIP	<p>To attend at FT&RC reception and obtain key to PIM Suite Cabinet and bedrooms adjacent to PIM Suite.</p> <p>Attend at PIM suite and ensure appropriate signage is affixed to doors.</p> <p>Ensure PIM suite has appropriate furniture, seating etc.</p> <p>Confirm PIM Suite Cabinet contents are adequate for PIP.</p> <p>Assess sufficient productions equipment available for seizing of weapons, productions.</p> <p>Facilitate the immediate welfare requirements of principal officers i.e. access to telephones, change of clothing, washing facilities etc.</p> <p>Arrange suitable supplies of food and refreshments dependant on time of day.</p> <p>Provide link from PIM to welfare agencies, staff associations, medical support and legal advice if and when appropriate.</p> <p>Provide security to PIM Suite to ensure no unauthorised entry during process</p> <p>Maintain a log.</p>
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