

**SHEKU
BAYOH
INQUIRY**

The Sheku Bayoh Public Inquiry

Witness Statement

Inspector David Acheson

Taken by [REDACTED] on MS Teams on 5 October 2023

Witness details and professional background

1. My name is David Acheson. My date of birth is in 1986. My contact details are known to the Inquiry.
2. I have 16 years of Police Service. My current rank is Inspector. I joined Central Scotland Police as Police Constable. That then became Police Scotland. As a PC I worked in community policing, response policing and as a probationer training instructor at the Scottish Police College. I started my role as training instructor in 2014 at Tulliallan. I carried out that role for 11 months. I was promoted to Response Policing as a Sergeant in Stirling. I was also a Sergeant in Community Policing, the Community Investigation Unit and Divisional Violence Reduction Unit and then into Safer Communities. I then transferred to Armed Response Vehicles as a Sergeant there where I also

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qualified as an Operational Firearms Commander, which I still am. I returned to Tulliallan in June 2021 as an instructor in Operational Command Training. I was promoted to Inspector in February 2023. I spent two months on a diversity project and then returned to Operational Command Training as an Inspector.

Role in 2014 as trainer

3. I am asked whether I recall if the NDM was used in 2014 for the probationer training. I cannot remember. I know it's taught in Probationer Training now because I've delivered the lesson a few times to help them out. I cannot remember if it was there in 2014, I'd like to think it was because it's a really valuable tool.

4. I am also asked if I recall anything about the airwave training given in 2014. I remember we had a lesson on airwave and all the students went through this. I don't think it was a very long one, and then we gave them airwaves, much like they do now, as I see the probationers undertaking the same exercises around the college. In 2014 we had a set script of, "Go and find X, Y and Z," and it would basically make them move all over the grounds of Tulliallan to practice using their airwaves to send and receive messages.

5. I am asked if anything was taught it terms of feeding back to the ACR. I don't know. I do remember we used to teach things like voice procedure; accuracy, brevity, clarity, to make sure messages were succinct and didn't take all the airwave time. I know we had them practice sending messages back to the instructional staff or a fictional control room, but I don't know what emphasis was placed on that. It was a two-way conversation and someone was always listening, but I don't remember what emphasis was put on the ACR aspect of it.

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Command of Incidents Training

- 6. I am asked whether or not there is any training in relation to the command of incidents where there is a response to a grade one incident, such as a knife incident, and whether or not there any training in relation to who is in charge at incidents of that kind. My department, Operational Command Training, delivers the training for the qualification of the Police Incident Officer, which is a qualification mostly aimed at Sergeants and Inspectors, but Chief Inspectors and above will have had it historically by virtue of having held their previous ranks. A knife incident would require assessment by the control room Inspector (Initial Tactical Firearms Commander) because a person in possession of, or who has immediate access to, a lethal weapon such as a knife, would require their assessment. My understanding is, operationally, that the Initial Tactical Firearms Commander, control room Inspector, will assess whether they are taking command of the incident and deploying specialist resources, such as Armed Response Vehicles. If they do not do that, having used the National Decision Model to come to that conclusion, command of the incident rests with the local response Inspector, who I would assume would give it to the local response Sergeant. That would not routinely activate the Police Incident Officer qualification, in that that is fairly routine business. That is my understanding, that the command would initially be assessed by the control room, be it East, West or North, and if they decide not to deploy specialist resources to it, the command of that incident, the response to it, sits with the local policing division, which invariably will be the local response Inspector and probably managed on their behalf by the response Sergeant.

- 7. I am asked whether there is any relevance if the Inspector or the Sergeant is not at the scene. A dynamic ongoing incident, which most things in policing are, our PCs are equipped and capable of dealing with that. Bearing in mind that we're not talking about activating a Police Incident Officer for this incident, scene attendance by a Sergeant or Inspector would be a call for them. It may

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be that they are the closest unit and given that they are still a police officer so they may just respond as a police officer. To respond to command it would probably suggest there's far more to it. If it's simply a knife call, I wouldn't routinely expect a Sergeant or inspector to go, unless of course they just happen to be nearby or there's something else making them think that they are going to need to attend this, i.e., serious injury which may mean there's a more serious offence committed and they may want to have overview of the scene/investigation. It may be that it's so serious that it requires them to activate as a Police Incident Officer, as long as they've got that qualification, but routinely, a report of somebody with a knife, I wouldn't expect a Sergeant or Inspector to physically attend that. They would have overview remotely via airwave radio, but not to attend on the ground.

8. I am asked what is meant by "activate a police incident officer." We have roughly 1,600 qualified Police Incident Officers throughout the force. It's a qualification. In some divisions, the term has become synonymous with the response Sergeant or response Inspector. That is wrong. The term used in Divisions conflate the two. PIO seems to just mean the response Inspector. It doesn't mean that. PIO stands for Police Incident Officer, and you only adopt that if you have the qualification, as required, and invariably it is where there is a multi-agency response or a response to something that requires a clear commander to be on the ground to represent the police and direct the police activity. I am talking about "activating" that skillset is you could be driving around with that skillset but you're not actually using it. You are not acting in the capacity of a Police Incident Officer but you are one. You choose to declare or activate that skillset and then you are likely going to be providing a rationale as to why and what resources you need.

9. I am asked what type of incident would require that activation. The really obvious ones are the multi-agency where we need to coordinate the response with Fire, Ambulance, Coastguard, Explosive Ordnance Disposal. Police-only

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ones, which invariably aren't police only, but police-led would be a firearms deployment where the control room Inspector is in command of the firearms assets and the Police Incident Officer is activated to coordinate the unarmed response to that. Another example would be a siege incident where a subject had barricaded themselves in the house for whatever reason, refusing to come out, and a siege has developed. That would require a qualified Police Incident Officer to attend and to coordinate the response to that, maybe utilising trained public order officers, and to authorise them or not to deliver tactics such as gain entry to facilitate negotiations. Another example would be a large-scale fire. The Fire Service are clearly the lead agency for that, but there is going to be a police response to support that to safeguard the public, and therefore we would activate a Police Incident Officer. If the fire is serious enough, they would be there to command and control the police side of it and coordinate the multi-agency response. There is obviously a huge list that they could be activated for but, for example, more extreme stuff like the Stonehaven rail crash, that had a Police Incident Officer from British Transport Police and a Police Incident Officer from Police Scotland because of the nature of that. They can be quite small, contained incidents such as a siege in your residential property up to the Stonehaven rail crash as an example.

10. I have been asked who is in charge of the "activation" of the PIO. The PIO does 'self activate' given their knowledge of the situation/circumstance that requires their skill set. A PIO could be activated by the relevant Area Control Room if they decide a PIO is needed i.e. the control room Inspector (Initial Tactical Firearms Commander) declares a firearms incident and requires a PIO to attend to manage the unarmed element of that deployment.

11. I am asked whether there is any training given to officers at an incident in terms of how to manage themselves on the ground at an incident; in terms of guidance or training about team working or anything else of relevance. There's none that I'm aware of. My department is Operational Command

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Training, we focus on the Police Incident Officer qualification. For an incident that doesn't meet that threshold, absolutely command rests with the response Inspector and how their Divisions operate, and I suppose there could be huge variances. Glasgow City Centre probably operates significantly differently from the Highlands and Islands and how they are able to access their resources and how the staff on the ground would do that. I think, invariably, on the ground all PCs are PCs, but you know who's been there a bit longer and you have probably got some people who are more knowledgeable than others and would guide colleagues, but invariably the first crew attending usually has a good situational awareness and as others arrive to support them they'll be able to say, "This is what I need you to do for me to help," until obviously a bit more order descends on it. But, no, the command of it rests with local policing invested in the response Inspector, probably devolved down to the Sergeant. The Inspectors potentially cover a full division, so the Sergeants would be expected to take on more of that local command aspect and overview of it just because the Inspector is only one person and may be geographically prevented from attending. So the airwave, the command and control aspect, is really important for them.

12. I am asked about the training given to probationers about their use of their radios and feeding back to the Area Control Room. This is not within my remit. I see them doing it at the Scottish Police College because we work in the same building. I know they train physically with their radios but I don't know anything about that training.

Scenario Based training

13. I am asked about scenario based training and whether I have experience in instructor led scenario based training. I was a probationer training instructor 10 years ago and we used scenarios, Sergeant Andy Park who you mentioned you have already spoken to, worked together in Probationer Training at that time and he works there now so could provide this

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information. In my current department, we use scenario-based assessment for the Police Incident Officer qualification. We assess them summatively to sign them off to qualify using scenarios, which is valuable and puts them in a slightly different mindset. We try and make it as realistic as we possibly can, albeit in a structured, script-led scenario so we can work them through. Ultimately the aim for us is to give everybody an equitable chance to pass or potentially fail their assessment, and we get a lot of good feedback from the scenarios and that's thought highly of. I agree that it is valuable but, again, I couldn't really speak for it outwith Operational Command Training at the moment.

14. Our scenario based training is scripted as we've got that to make sure it's fair, and ultimately it's equitable because you're going to be assessed on a different scenario from what someone else would be, for example, so we need to make sure they're of an equal level of difficulty. The instructors lead them remotely via airwave because we're trying to simulate operational policing as best we can. The instructional team, who are all trained assessors and have completed various training qualifications before they're allowed to do that, use the airwave radio to deliver injects and lead the students through the scenario, and ultimately the scenarios get more difficult to a point of forcing decision making using the National Decision Model because we're trying to test the skillset that we're looking at for a Police Incident Officer. They are instructor-led, albeit remotely. The reason they're remote is because we want to expose them slightly, to be a bit uncomfortable, and we monitor them using audio and visual equipment so we can hear and see them, and we assess them, we look at their interaction in the room, how they work with their colleagues, because one will be a scribe for them, one will be a comms officer, and how they rationalise the decisions they're making. Do they use the tools we give them, such as the National Decision Model, the JESIP principles, or the use of recognised mnemonics such as METHANE and ACETACTICS. They're all

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contained in the Police Incident Officer toolkit. We do get very good feedback from the course, from all the students, they say it's enjoyable.

15. I am asked to explain what the JESIP principles are. It's the Joint Emergency Service Interoperability Programme and it's managed by Hertfordshire Police and it's across the UK. It's a commitment that the tri-service, police, fire, ambulance, will work together to jointly understand risk and make sure that we deliver the best response we can to reduce harm and save lives. It came out of the July 7 bombings where there was a recognition that we didn't really coordinate well together and now the Manchester Arena Inquiry has highlighted similar failings. One of the core principles of the JESIP is co-locate. That was a failure identified by the Manchester Arena Inquiry, so we really push the JESIP principles to make sure our students understand the need to do the best we can to save lives, that's ultimately what it's about, and arrive at decisions that are defensible, made using logic, rationalised properly, and recorded so that if asked for an inquiry like this one that you're actually able to help an inquiry understand what you were going through.
16. I watched a lot of the Manchester Arena Inquiry. Clearly it was stressful for the Police Incident Officer. He acknowledged his JESIP training and how he tried to use that where he could, but sadly still mistakes were made and unfortunately that Inquiry found that two people might still be alive. None of us want to be there. I've got real sympathy for colleagues who are found to be there. We're trying to do the best we can for our students to make sure, if they are facing potentially one of the most difficult days of their career, that they've got a base level of knowledge to help them at that very difficult time to do the best they can and ultimately deliver for the public.
17. It is challenging, and training should be challenging, but at the same time it's achievable and the feedback we get is positive and that, I think, tells us we're on the right lines and hopefully delivering best value for the organisation, for

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the individuals and for the public. We're looking to make sure that, when they go out there, they're able to apply the skillset to a stressed situation which ultimately may cost people their lives, unfortunately, if we get this wrong, and work with partners to deliver best outcomes.

Scene Management

- 18. My department covers PIO qualification, scene management, siege management, RVPs FCP and the command elements at an incident. It is all based around what is required by a Police Incident Officer. I am asked about scene management. We are teaching scene management from a saving life point of view. We are teaching that initial "This is chaos. People need to be saved." A Police Incident Officer, as all police officers do, has a responsibility to ensure that evidence is captured, but evidence doesn't come before saving lives. We always need to put life before gathering evidence, but all police officers have a duty to report to the Crown Office Procurator Fiscal Service, so we're clear that if you are there as a Police Incident Officer, and sadly, as in Manchester Arena, a bomb's gone off, we need to save lives first, but obviously there's going to be a criminal investigation. You're there as the police incident officer, but at the back of your mind you should be at a point thinking, "Do I need to get advice from a crime scene manager? Do I need to speak to a senior investigating officer?" For that scene management from a criminal investigation aspect, the Police Incident Officer, we expect them to have that in their minds. We still have to do that, but the PIO role is that initial response to the mayhem, get it to a point of lives are hopefully saved or stabilised or life-saving can happen, and part of that then is that we know that an investigation is going to happen, be it a criminal one, be it an inquiry one, so we need to facilitate that happening as well. It is put to me that one of the units in the probationer training says that saving life is the priority before you move onto crime scene management or related aspects. Absolutely yes.


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19. I am asked whether the training I am involved in touches on seizure of properties, having the authority to enter a property and to search and secure it. We slightly touch on that in that the NDM, for us, is the main crux of the Police incident officer course. If you work your way around the NDM, powers and policies is one of the parts, when we teach that we explain that we're looking for is what primary legislation, what force policies, what public policies, what guidance there is, for example from PIRC, that enables and constrains your activity. For example, if we have a Police Incident Officer deployed at a siege incident and public order officers have arrived to support that and the PIO decides to send them into the property, what is their legal basis for doing so? We're clear with the students that their rationale should be recorded and documented so that you're in a defensible position for your actions. So it shouldn't just be simply, "Right, just run in"; but if life is in danger and they have to just take action they should record it retrospectively. If it's slower and they're able to record, Article 2 ECHR, right to life, positive duty to act to save life; Section 20 of the Police and Fire Reform (Scotland) Act 2012 tells us we have a duty to save life. A common law is a power of entry to save life. We're looking for them to document their legislative basis, policy basis, for the actions they take, or don't take, we highlight that we're as accountable for the actions we don't take as the ones we do. Certainly, in the Police Incident Officer qualification we expect them to have that understanding that the legal basis they're operating under, the policy basis, should all be documented.
20. In terms of a siege, for example, UK policy is contain and negotiate, apart from a very few instances where it's locate, confront and neutralise, which is mostly reserved for a terrorism matter. We would be looking for them to acknowledge that in the powers and policies so that, if there was a review of that incident and that siege where they've sent public order in and something went wrong, "Well, what were you thinking as the commander of that to send those officers in?" They should be able to rationalise that quite clearly. Of course, it may be so fast that they just don't have time to do it, but we'd be

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looking for them to do it in retrospect, and that's what, back to the bit you mentioned about the scenario training, in the scenarios we put them under increasing pressure, using the airwaves to give them injects, because we're looking to make sure that, even though more information is coming in, are they still minded to record the information they're being given and how that affects the decision making and to work around it using the National Decision Model. Where they have the time to do that, because we do understand that sometimes things just happen so quickly you can't and that's fine, but we would be looking for the retrospective, "Well, this is what happened," go and apply the NDM to it, almost backwards I suppose, and document why and where you got to. That's where the scenario training is really important because it actually puts them under a bit of pressure, whilst testing their knowledge of the law and of their role as a police officer, and it is vast and there's so much legislation out there. We don't expect them to be a legal dictionary, but we would expect them to have basics that I mentioned, ECHR, Section 20, common law, a grasp of powers of entry as you mentioned there, powers of seizure, evidentially, for example. How is that forming the basis of their actions and the tactics they're looking to employ.

Post Incident Procedures training

- 21. I am asked about training in post-incident procedures, particularly following a death following police contact. We have a lesson on trauma and risk incident management and we mention to them that post-incident procedures exist. We don't teach on it because the decision to deploy post-incident procedures rests with the ACC level and they would decide if that's going to happen. As a commander involved the PIO would probably be a key police witness in the post-incident procedure, so we don't do a full teach on it, but we do tell them that the PIP process exists and we give them a handout.

- 22. The force did a recent awareness-raising campaign around PIP and we've taken the handout from that. Ultimately what we're telling the PIO is a post-

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incident manager will arrive. They're a qualified PIM and they will take over and guide them, and their team, through the process that will happen at the PIM suite and how that will all start to kick in. I know slightly more about PIP given my role as an Operational Firearms Commander, and I do an annual refresher which covers this. I'm not sure the rest of my team would be as versed on it more than the simple PowerPoint slide we've got and the handout we give to the students. I am asked whether I do any teaching on the probationer course in relation to this. I do not.

23. I believe the facts stated in this witness statement are true. I understand that this statement may form part of the evidence before the Inquiry and be published on the Inquiry's website.

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