



The Sheku Bayoh Public Inquiry

Witness Statement

Timothy Kirman

Taken by [REDACTED] on MS Teams On 19 September 2023

Witness details and professional background

1. My name is Timothy Kirman. My date of birth is in 1971. My contact details are known to the Inquiry.
2. I joined the organisation as a trainer within the Probationer Training Division in 2008, I was employed as police staff. At the time I was an employee of the Scottish Police Service Authority through the Scottish Police College. During my time with the organisation I essentially worked in Probationer Training, I progressed through various projects and then ended my time in the Leadership and Professional Development department at the Scottish Police College. I am no longer employed by Police Scotland. I left in October 2017. I was with the organisation for 9 years. I am currently self-employed as an Artist in Stained Glass and Contemporary Art.

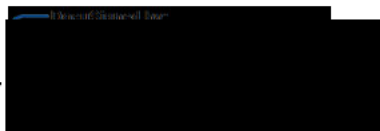
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Training Role Overview:

3. I am asked to outline my career as it relates to training. I joined the organisation in 2008 and it was solely for the purpose at that point of training within the Probationer Training Division. This entailed delivering the training to probationers from their day one training when they joined. Essentially, it would be the day that the officers were sent through by their then legacy force, so it could an officer from Northern or Lothian Borders would come in their cohorts. They would do a 15-week block and then subsequently return between 12 and 18 months later to do what was known as reconvention, where they were signed off as completing their two-year probation.
4. During that time, I had additional tasks such as updating Scottish Police Emergency Life Support (SPELS) training lesson notes in collaboration with the Teaching Educational Students (TES) of the Scottish Police College. So, it wasn't just that you solely worked within Probationer Training, you also undertook additional work that tied in with your day-to-day role.
5. In 2011 I applied for a secondment role to work on Police Scotland Reform work where I oversaw the management and delivery of training that was required for day one which related to the area control room and the introduction of 101 phone numbers. I also did some time where I worked briefly in the IT side of things and rewriting of the accreditation for the Diploma in Policing.
6. On completion of this I went back to Probationer training around 2014/2015 for a short time, and that was mostly working with students as they returned rather than actually probationer training. I was then successful in getting a post in Leadership and Professional Development, which for me at the time was a promotion, this is where I worked through to the conclusion of my time with Police Scotland. I was primarily working and dealing with things like sergeants training and training for inspectors but also latterly working with the Justice Sector.

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7. During this time, I was regularly requested to work within probationer training for diversity training. I was one of only a handful of people who were still qualified to do diversity training. So, every four or five weeks, I would be delivering diversity training for Probationer Training, and that continued to the very end of my time with Police Scotland.
8. I think I left probationer training around 2014/2015 as I didn't get recertified, that's when I said. "I don't feel that I can do the SPELS assessment anymore" because I hadn't had my first aid certificate updated. I think from that time I probably stopped delivering anything to do with it or assessing it. This was at the point where I joined the Leadership and Professional Development Division.
9. SPELS is essentially a watered-down version of First Aid at Work. It's essentially the bare minimum that's needed for an officer to respond, so things we wouldn't teach, for example, we wouldn't be doing things like putting bandages on or anything like that. Essentially, it was a case of, how do you stop the bleeding? How do you ensure the person if they're in shock, how do you position them properly? Your priority is then to get them medical assistance, so it is not teaching first aid. It never was. It was about the emergency life preservation.
10. When I joined the organisation initially my background was in training. As I went through my first full programme, I was also learning, and you would also update your skills accordingly.

Training Qualification, Role, and Responsibility: Physical Education (SPELS) Instructor 2008-2014

11. I am asked how I came to be in the role of a SPELS Instructor between 2008 and 2014 at the Scottish Police College. In 2004/2005, I completed my postgraduate degree in Education, my PGCE. I was delivering training on key skills including literacy, numeracy and IT, helping primarily people who had left

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school without qualification get back into education or employment. As a result of my background in education, I had a prerequisite qualification in training. I saw the job advertised for the college and applied for it. I got the job on the basis of my background and then basically through the college and my role undertook any required training. Very early on I did the First Aid at Work qualification, that wasn't just to deliver training as it was also as a First Aider at Work.

12. Other things I did was first line management training as I was responsible for keeping students abreast, counselling students, and keeping my inspector aware of any issues relating to the cohort of students that I was responsible for. I was their initial point of contact for personal issues but also if there was anything needing to be feed back regarding performance it was my role as their team leader.

13. All the training was provided to me accordingly, where and when required including recertification, for example going on a refresher day for First Aid at Work qualification just to show you still knew things. My SCOPE record should reflect all of this information.

14. My primary role and responsibility were to deliver the training in accordance with the requirements of the organisation. When I joined initially, the training materials were based on what the Association of Chief Police Constables of Scotland (ACPOS) had specified was the required training standard for any officer joining the organisation. My responsible was to also professionally keeping myself updated accordingly.

15. As I've mentioned before, you would also have a cohort of students that you were responsible for. So this worked in a variety of ways. The first level you had your course, so for example, if you have 197 students, we had about seven classes. Divisionally, I would be responsible for group activities with the whole course like physical education and we would we go out running with the

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students. You would ensure health and safety wise the numbers were correct for the number of people ratio to students for these exercises or training.

16. I am asked if this is the normal or recommendation ratio of instructors to students during SPELS probationer training in 2014 and if not, what is the normal ratio and is this usually adhered to. Inputs were delivered as a class and as such there was no need for additional instructors to be available or on hand. To my recollection there was no ratio of students to instructors in this input as it was considered a normal classroom activity and, unlike PE or OST there was no requirement for supplementary numbers. This was most likely as a result of a risk assessment which were documented and held on file within the College. The input was delivered over 4 periods. Period one was in the classroom covering the presentation set up on PowerPoint. Periods two to four were usually in a larger venue such as the games hall or assembly hall allowing students to spread out and practice the practical activities. It wasn't uncommon that an additional instructor may attend if their timetable allowed but, primarily it was a single tutor to the class. Class size would vary depending on intake numbers. I had class sizes from 14 or so up to 28. The practical sessions would combine demonstrations with break out groups sharing the Annia dolls, usually in groups of 2 students.

17. Initially there were three instructors and out of the 27/29 or so students, we shared them equally and the responsibility for the students. For the students I was allocated it was my responsibility to ensure that their final assessments were up to date when they were needed to go back to division or force. If there were any issues around discipline or performance, it might be something that I bring up or raise during reviews and I also dealt with welfare issues. So, things like personal nature at home. So, it was pastoral care with your students and ensuring that they were meeting the requirements and that they understood their roles and responsibilities as well. So, my role was wide-ranging. It was to assess, to train, and to manage that environment.

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18. I am asked when exactly I finished up with SPELS probationer training in 2014/2015. I am referred to my SCOPE record PS18797 on page 2 where it says "OP SKILLS- FIRST AID AT WORK- REFRESHER- 27/07/2011- 28/07/2011. I am asked if this would have been my last refresher. Yes, and I think the lifetime of my First Aid at Work training was about three years. So, at that particular junction, I seem to remember a discussion where I'd been asked to do training and I'd said, "Well, are you going to recertify me?". The particular individual at the time was very much like, "Well, you're not a probationer training now. Why would we recertify you?"
19. I am asked if this means that my involvement with SPELS probationer training stopped in July 2014. Yes, so around that time I would have stopped delivering the training and subsequently the assessment as well because, again, that was something which I knew, If I'm not able to train it, then I shouldn't be assessing it.
20. I am asked if I am aware of who took over my role after July 2014. So, you had other Physical Education Instructors, you had [REDACTED], David Agnew, and Phil Briggs. So, they were Physical Education Instructors (PEI), they delivered OST, but they would also do the SPELS training and assessments. Other officers who had divisional experience would have also possibly been involved such as [REDACTED] and James Young, but you would need to confirm this as I did not have any direct involvement anymore.
21. I am asked if my role as an SPELS instructor was impacted or underwent any significant changes after the creation of Police Scotland. It wasn't. The training didn't change because the training was always deemed by ACPOS to be fit for purpose. So, the only things that would change were things like, initially, with reference to things like it's no longer legacy forces like Lothian and Borders, it's a case of everything's now Police Scotland. So, it was making sure things like that was correct, and also if anything had changed in regard to what the organisational instruction was. Things like the emergency life support, nothing changed in regard to what was required of the officer.

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The officer's response was exactly the same as it was the day before Police Scotland became a legal entity. The requirement was to ensure the life preservation of the individual.

SPELS Training Assessment Material as of 03 May 2015

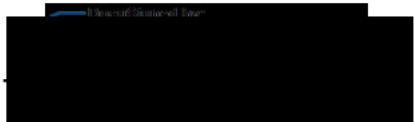
22. I am now shown and referred to the following training materials which Police Scotland have identified that I have produced:

- **PS12109:** *Probationer Training Division Standard Operating Procedures: SPELS Assessment Guidance and Questions version 1 dated 21 July 2010.*
- **PS12107:** *SPELS Assessment Form version 4 dated 19 September 2011*
- **PS12108:** *Probationer Training Division Standard Operating Procedures SPELS Assessment Guide dated 21 July 2010*

23. I would use the word amended as these materials were in existence prior to my arrival at Police Scotland, all that I ever did, as instructed, was update them according to either change because of policy or because of legislation or an incident.

24. Again, actually, it's worth noting on that, when you go back to my role and responsibility, if I as an instructor I identified there was an error in a note, or that there were changes coming in which needed to be flagged up, there was an email address, we would send through to the TES revision team to say this, it wasn't our decision. So, for example, "doctors ABC" is a prime example. When I did one of my refresher trainings, it was always "doctor ABC", and when we did the training, it was "doctors ABC". It was a case of, well, could we just add the "S". So, I wouldn't then go and change it, it was the revision team that would do that.

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25. I am referred to Police Scotland's Position Statement 7 SPELS on behalf of the Chief Constable of Police Scotland SBPI-00357 at paragraph 18, there's a paragraph that says:

"The assessment for SPELS was done by means of an oral examination and by way of a practical test. Each student would be assessed individually. The course participants would be asked a series of questions as a knowledge check and would be asked to demonstrate practical skills that had been taught..."

26. I am asked what my opinion is in relation to this paragraph. Yes, as I say, the documents, if you look, going back to SOP, the assessment form, etc., there is a section within there specifically outlining what candidates should typically respond to a question and equally the same regards to the assessment form. There will be an area saying, "Did they competently do that?", by way of a verbal question.

27. I am shown PS12109 Probationer Training Division Standard Operating Procedures: SPELS Assessment Guidance and Questions version 1 dated 21 July 2010. I am asked to outline the purpose of this material. These are the range of questions which should be asked to a student being assessed during SPELS probationer training and this is how it ties in with the SPELS lesson notes of what we should have taught the students.

28. So, within the training you have the lesson notes side of it, and then when you come to the assessment, what this document is saying is, "Look, this is what they've been told", in the first part of your example question. What was happening within the assessments when I was asked initially, was can we update anything? Is there anything that needs done? As an external person, I hadn't been long in the organisation at this point. I had a background in assessing and course design etc. I was seeing people maybe loosely ask the same questions as instructors and assessors, but there was no

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standardisation. So, I suggested that we updated it so that it reflected what was there already. This document was primarily in existence, but I updated it accordingly, so that it then was a case of saying, ““Right, anyone doing the assessment, when you come to this section on deciding or recognition of respiratory distress on page 8 for example, the training will have been given,” you can compare it to the notes at the same time, and it should be like-for-like. So, the students will have been able to see that information.

29. So, from an assessment perspective, it was a case of saying, “Ask them all the same questions.” If you decide as an assessor, I’m going to ask this student about, “Could you describe the recognition features of respiratory distress?”, and they can give you at least three of those signs, you should be confident because that it was a pass or fail. They only really had 10 minutes in which to show that they’d understood these notes at this particular point, but there were things which would continually be assessed throughout. As an Assessor, if they’re scrabbling round, going “Oh, I don’t know, I don’t know”, and they clearly haven’t got the information but they’re just plucking things out of the dark, you could then say, “I’m going to ask you another question because I just want to check your understanding of this.”

30. In a good situation, you would have a student who would just rattle these off verbatim because they have read the notes and they’ve listened to the training. This material is there to help you as an assessor. It’s also there to help from an instructional perspective and organisation, it’s saying, these are the sort of things that they should be giving you, these are the questions, and this is how it links into the notes.

Standardisation of Assessment Material

31. I am asked if I took it upon myself to amend these materials to ensure standardisation across the training as I have mentioned above.

Organisationally, the Scottish Police College regularly went through notes and

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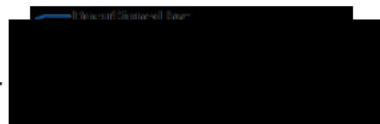
would conduct regular reviews, "Is it fit for purpose?". Or "We're going to reduce the course down to 12 weeks. What can go, what can stay, what needs tidying?" At the time, I just basically had said, "Look, we have the notes, but we don't seem to have clear guidance in regard to the questions asked."

32. So, what I did was I took what we already had, and made it a standardised approach and said, "Look, we're all training this, this is what the notes say, but instead of you sitting there saying, 'Oh, I'm going to just ask you this question,' we actually create a document which has a range of the questions we know we ask. As an assessor, you choose the one." So, it wasn't me creating anything from scratch. It was me taking what we already had and what we already did, but creating a process which was saying, "You know that this is what you expect your students to say, so these are the questions or the range of questions you will ask, and this is what you should expect back."

33. I'll give you an example. I would sit down, and I would use the notes as my guidance. So, I would be like, I wanted them to identify the signs. Those are what are in the notes. That's based on the notes, but I would hear colleagues who might provide convoluted stories, like you're in a restaurant and this starts happening and that starts happening. How are you going to deal with it? It's a case of we ask them the same questions, irrespective. So, this was to create a document which reflected the range of questions you should expect them to be able to answer based on what the notes had in them.

34. For the avoidance of doubt, I am asked to clarify if then these assessment materials were only amended or updated by me instead of being produced. I think they would have been updated to the point that I took something and standardised based on the notes. So, all I've done is used the notes to create this if it was, and then sent it through and said, "Right, this is what's in the training notes." Because if you compare this to the training notes at the time, it will match the notes.

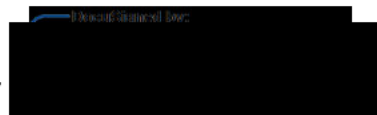
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35. There was a precursor to these documents as well, it is the assessment form. This is document PS12107 SPELS Assessment Form version 4 dated 19 September 2011, I am shown this document. I created this based on the previous document, and I don't know if you've got that one where there's like lots of tick boxes in that, and it just looked horrific. It was the case of saying, "Did that student say to you that they could describe the general signs of choking?" as shown on page 1 for example. Yes, they did, and if they've been competent in that, you can move on to the next area. Because at the end of the day, we were told it was a pass or a fail. So, if they could answer in that knowledge area, you weren't asking them one from every subject, because we weren't asked to do that. We were asked, basically, do they have a general understanding? So, if you look at the Recognising and Management of a heart attack, there were only really two areas you could assess them on, because the candidates were not being asked to do CPR unless a person stopped breathing. The only thing that they are expected to do, or were expected to do, was ascertain were they having a heart attack and, if so, how to make sure they were comfortable, get medical assistance. You can see that through all of them, it's that element of, how could you recognize a stroke and how might you treat it? Fundamentally, that might be saying you're calling an ambulance, you're keeping them comfortable and ensuring that if they do go into any form of distress, respiratory or other, you're either putting them in a recovery position, or you're beginning CPR. I think if you compare this version to the previous one, without blowing my own trumpet, it's a little bit more logical.

36. I am shown PS12108 Probationer Training Division Standard Operating Procedures SPELS Assessment Guide dated 21 July 2010 and I am asked to comment on the nature of this document. Yes, so if you look at this in relation to all three materials that we've looked at, the SOP, the assessment form, and the guide, I was just taking what we already had. However, I was just creating it in line with the other documents. When I was asked to review these

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particular notes, I felt there was a discrepancy between what maybe had happened with how some instructors were maybe assessing compared to the assessment criteria, one of the things that you have to do is be consistent and, again, this goes back to my background.

37. What a lot of people don't realize is when people challenge grades or assessments, for example, you're not challenging your grade. We don't change your grade; you're challenging the process and you're looking to see if the process is fair and transparent and equal. That's where it comes up that it's a case of, if someone was to say, "I feel my assessment was wrong", and it turns out they're being asked different questions or in a different way or maybe being asked to do 10 times more than someone else, they would have a case. So, the idea of this document was that it standardized it, it made it that everyone had it and, very simply, when it was done it was a case of saying to all assessors and all instructors, "Please make sure you're aware of this information because this is how you should be assessing them."

38. I am asked if I was appointed to this role to carrying out these amendments and if so, who instructed me to update these documents. So, the very, very first updates I did, it's regarding the water safety. So, I was very, very new through the door. I think it was still in 2008. There was a couple of things that I was being asked to sort of deal with, and one of them was adding some updates. There were two areas: one was water safety, and one was regarding seizures and epilepsy. So, epilepsy and seizure were very straightforward.

39. A question was asked at government by the Scottish Epilepsy Society. They had managed to escalate it, ACPOS responded accordingly saying the notes need to be updated not Police Scotland but, as an organization, we need to make sure our students, probationers and officers understand this. Now, I don't know if it was rolled out subsequently, but it would have been picked up on recertification later, it should have been. So from the point of view of that, they sent us through what essentially was about two and a half days of

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training materials, and my job at that point was to basically liaise with them and say, "Look, we can't put two and half days into the programme but, we've got an input, we can edit down the key information to 10 minutes so that it's a case that during every SPELS input all probationers will have this information."

40. When you look at other tweaks and changes, it was maybe around things like positional asphyxia, that was always mentioned and always discussed. It was part of OST; it was part of various techniques involved where you were restraining a prisoner or an individual. When we were doing things like SPELS, it was always reminded about that fact that you put people into the recovery position, or you position them in such a way, not on their front.

41. That ties in with another input we used to do which I think was the human rights input. The video clip we regularly used was around the death of-- and I really feel bad because I can't remember his name, but it was the incident in Hull where the individual was laid prone on their chest in the custody suites for 10 to 14 minutes and died as positional asphyxia, and we showed that video in regular inputs.

Quality Assurance and Standardisation

42. I am asked what the process was for creating these documents and if there was quality assurance process in place. Yes, so regularly, every so many years, TES, Teaching Educational Standards would request that the notes were reviewed to make sure they were fit for purpose. So, what would happen is you would get officers in a division who were road policing, for example, officers with firearms knowledge or experience or skills. They may

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get a bulk of various bits and, their job was then to just read the notes, make sure they were still correct and in line with policy or procedural legislation, and if there were any areas that they needed tweaked, they would then highlight that and they would send the documents back. It would be sent to the review team, and they would just review. There was usually an inspector, and they were the ones that then would make decisions.

43. Now, there are a couple of incidents and occasions where maybe it was done because of situations. So, one time, ACPOS had asked for the course to be reduced from 15 weeks to 12 weeks. So, the review team's job was to essentially look at what could be either reduced in time but still delivered, or what could be taken out because it was covered in other areas or there was a duplication. So, the reviews were always managed and then there was an email address for the review team. So, if there was something you saw in a note which was grammatically incorrect or even it was just a case of saying, "Oh, in this bit here, DRABC, we just need to add an S now," you would send through an explanation, highlight the notes, and it wasn't our job to update it. The bigger changes like this one were part of a regular review which was instigated by the college and TES and/or the review team. So, we were doing things based on what we were being asked to do.

44. I think the reason my name's been attached to this so much is because one of the things I did. I said about putting version control on materials because, prior to the notes I was looking at, I couldn't tell when it was last updated. So, through suggestion at one of the review meetings, it was a case of saying, "Why have we not got version control?" I think they may be tracked it in, like, documents, but there wasn't anything physically on the notes. Again, just based on my previous experience working in the private sector, it was like, "No, this is really important you have this," because of incidents or policy changes which might look odd later in life, but you can see that, "No, this is why it was updated," or the data was updated.

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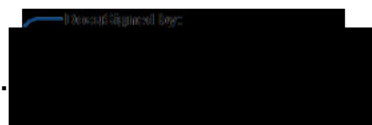
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45. I am asked if I can recall what quality assurance relied upon and what I needed to report on for monitoring the quality of training provided in 2014. From what I do recall Quality assurance, or TES, would sit in on inputs occasionally and observe instructors. In part I think was to assist those undertaking the Diploma in Education (usually new instructors) as part of their observed training and also served to provide a process of overseeing the notes and training in practice. You would need to speak with TES specifically about how they ensured the monitoring of the quality assurance was managed as this would have been part and parcel of how they maintained the credit rating of the probationer training and maintained the standards of the programme.

46. I am asked who made the final decisions on the amendments made to these training documents and when it would be finalised and published. That would be down to the review team, maybe the inspector and the head of division and maybe even TES. You would probably need to ask at the college level and, whether they can answer the question, I don't know, because so many people have gone from there. TES, going back to when I was there, Teaching Educational Standards were the overview, so your quality and assurance tests. They oversaw and ensured that courses were fit for purpose in regard to if they're accredited, etc., and they were like the guardians is a good way of putting it. Obviously from our point of view, we delivered the training but, when you came to reviews, there would be a review team put in place.

47. I am asked if there were any other material or documents that were utilised in probationer training in 2014/2015. For probationer training for SPELS, so you've also got the training Lesson notes, which you should have. The Lesson Notes for SPELS they were in the module one book, so they would have been linking into the OST Booklet. SPELS was OST but it was delivered in module one because it was obviously fundamental to the role. So, you have the training notes, the assessment notes, and the overarching SOP.

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48. I am asked if SPELS probationer instructors would have been made aware of all three of these training assessment materials as means of ensuring standardisation and consistency. Yes, yes, because what would happen is these would obviously then be circulated. So, instructors would have been given them, and then once the notes had been basically updated, and if it was anything like a force level across the board, legacy force level, or if it was divisional, things like that would get highlighted and circulated through whatever means. If it's something which affects the whole organization, it wasn't just through training but, the notes were updated accordingly and then instructors were always responsible to ensure that they were up to date with the notes, and they were using the most current notes or guidance that was available.

Scottish Police Emergency Life Support (SPELS) Training in 2014

49. As my involvement in SPELS ended in July 2014, I am asked if I am able to speak to the adequacy and provenance of document PS12313 SPELS Lesson Notes last amended 25 February 2014 which was in force and used to train probationers in 2014. Yes, fundamentally it will look the same as the previous versions. I think there is a good chance, possibly very much at the start of the year, I may have done one training input but what differs is the colour of it.

50. I am shown the previous versions of SPELS Lesson Notes PS12114 dated June 2012 and PS17188 dated January 2011 which was used for probationer training between January 2011 and February 2014. I am asked if I recognise these Lesson Notes. Yes, I do as the colour hadn't changed. I definitely used these, categorically. You'll see that there is no version control on these documents, this is one of the key things that I flagged up. Against the background opinion provided, I am told that there is very limited change between these lesson notes and PS12313. Yes, I would agree. I think you'll

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find that there are minute changes, little things here and there that have been updated. I would have used both of these lesson notes.

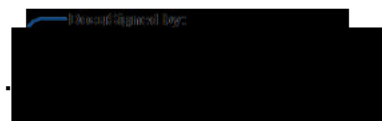
51. I am asked if I am able to confirm if I also used PS12313 which is the relevant version in use during probationer training in 2014. I would have used these notes. I would have only used them for a short period of time up to the point of me no longer delivering the training. One of the things that I always did as well is whenever I went to give an input because I was no longer involved with probationer training, I wouldn't just rely on the notes that I had previously. I would always ask for copies of the new notes and if they'd been updated and amended. So, I would always keep the most up-to-date version of the notes and I would also check for the changes that had gone in.

52. I am asked if I recall if these lesson notes were provided to probationer students in 2014. Yes, students would have got a copy of this, yes.

53. Referring to this Lesson Note PS12313, if you look at the learning outcomes "Explain the chain of survival," one of the key things with SPELS is that it's really important. So, if you look at the previous versions of the document, the notes talk about going into the basics or like the CPR side of things, first of all. But one of the key things with SPELS, is it's about that early recognition and the chain of survival.

54. So that's one of the reasons – now remembering, coming back to me – why it's at the start, because it's really important that a student recognizes straight away, that this person is in distress or that you need to carry out CPR, because if you don't do that right they're going to die, or have some severe impact upon their health long term. So, the chain of survival becomes the start of what SPELS has always been about, you are here to make sure this person survives. You're not here to give first aid, and then based on what your recognition is, you then look at, how do you provide the assistance to basic life support, how do you an assessment and so on, and it just made more

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sense, I think. I've probably been involved in the review, the reordering, and the appendices of those lesson note.

55. I am referred to Police Scotland's Position Statement 7 SPELS on behalf of the Chief Constable of Police Scotland SBPI-00357 at paragraph 16, there's a paragraph that says:

"The SPELS lesson notes formed part of a pack of material provided to probationers during their initial training at the Scottish Police College, Tulliallan. The SPELS lesson notes were provided to the course participants at the start of the SPELS module of initial probationer training, which was delivered in a block of four 45-minute periods over the course of one week.

There was no pre-reading required of course participants before the SPELS module. The SPELS lesson notes provided the content for the SPELS training, which was delivered through classroom teaching or lectures to cover the theory followed by practical teaching, where techniques would be demonstrated to course participants, who would be assessed following completion of the SPELS module."

56. I am asked if this extract corresponds with the probationer training provided at the time in 2014. Yes, if it helps because I did it so often, certain lessons become quite ingrained, you know how you're going to go through. So as stated, there were four periods allocated to SPELS training per class. What would happen is you would go in for period one for 45 minutes and, there was a PowerPoint presentation and the presentation reflected notes in regard to everything apart from the practical aspect, which was fundamentally the water throwing, line throwing, the recovery position and the CPR.

57. What would then happen is you would have three periods in which you would deliver training based around the practical application of how to do the recovery position and how to do CPR. It was broken down in such a way that it was designed to be interactive. So, the students would work in groups, they

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would work in pairs, they would have an Annie doll and it would be the case that we would go up and deliver and input a part of it, explain it to them, get people to come up and do it and practice and demonstrate. You were trying to get them to do hands-on.

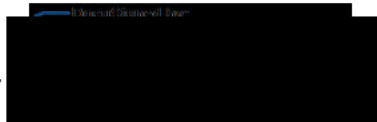
58. So, basically four periods, one period in class, three periods practical, and then subsequently I can't remember if it was a period or a double period about a week later, we would assess them. That's where en masse we would get groups of instructors would come down who were assessors as well for this. So, you were a SPELS trainer assessor, they would come in and you would call in a student, obviously depending on how many classes there were and how long it would take.

59. I am referred to Police Scotland's Position Statement 7 SPELS on behalf of the Chief Constable of Police Scotland SBPI-00357 at paragraph 17, there's a paragraph that says:

"The aim of the SPELS training, as stated in the 2014 SPELS lesson notes (PS12313) is to allow course participants to understand and demonstrate the principal techniques involved in basic life support. The learning outcomes as identified in those lesson notes were that at the end of the training, the course participants would be able to do the following:

- a. Explain the chain of survival.**
- b. Administer basic life support to a casualty.**
- c. Conduct a casualty assessment.**
- d. Place a casualty in the recovery position.*
- e. Recognise and treat a choking casualty.*
- f. Recognise and treat a casualty who may be suffering from a heart attack.*
- g. Describe the correct method to control external bleeding.*
- h. Recognise and treat a casualty suffering from shock.*
- i. Recognise and manage respiratory distress in a casualty.**

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j. Recognise and treat a casualty who may suffer from a stroke.

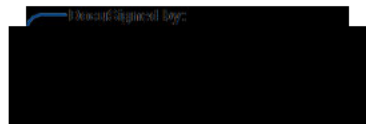
k. Recognise and treat a casualty suffering from a seizure.

l. Describe an officer's actions at the scene of a water incident.

60. I am asked if all of the aforementioned learning outcomes were covered during probationary training in 2014 and specifically the ones highlighted in bold. Yes, some of them overlapped. So, there's certain ones, so if you think about it from the point of view of having a heart attack, the person could be struggling breathing, they could also be showing signs of distress and anxiety. If they're having a stroke, they could have difficulty breathing. So, all of these elements it's a case of ingraining this throughout the lesson all the way, so all the outcomes were covered, yes.

61. I am asked if focused was placed on certain outcome more than others or if all outcomes were given equal priority and consideration during probationer training in 2014. Well, you can tell by the four 45-minute inputs that it wasn't equal because you had three inputs where you were dealing with the actual practical side where someone was doing the recovery position. So, you had three periods where you were doing the practical aspect. From a training perspective, one of the things that I've always done and, I know other instructors do it as well, is you would use the other parts of training, say for example, approaching the Annie doll, I would regularly say, "You're looking for a response," and the person might be responding. They might be just saying they've cut themselves, and then you would be dealing with that. So, you would always bring it back to other areas because it wasn't just solely about the fact that you're approaching the Annie dolls and you're going to do the CPR. It could be the fact the person responds to me and, as they respond to me, they explain they've fallen over, they've cut themselves, and then as I'm coming over, I'm starting to think, "How would I deal with that?"

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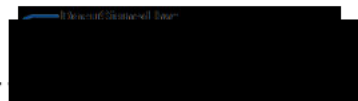
62. If they're unconscious, then obviously you go down different routes. If they're not breathing, you go down different routes. But we had one 45-minute period where you would go through all the other areas and, probably realistically, if you look at it and break it down, you're probably looking at about four or five minutes going through a particular area because of the number of outcomes as they got up to L.

63. So, in a class, you would talk about the chain of survival. You would talk about DRABC, but you wouldn't go into it in depth. So, you would work your way through it methodically. Now, there were videos for each of these areas. So, for example, with the heart attack, there was a video which we'd got from I think it was from the British Heart Foundation's advert campaign, and then we would add things like, for example, the Vinnie Jones campaign when that came on because again it was relevant. It was a way of remembering things. It was current. FAST, the advert for face, arm, speech, time to call, adverts for that were shown. So, it wasn't always just us talking. It was also a case of showing something which tied in with it. So, you were probably looking at four or five minutes at a time.

64. The challenge was always the fact that you have so many things that you could argue, "Well, why don't we also have that? It becomes a very complex and very sort of clogged up. Having a 45-minute input, personally, I would rather have half a day's input. However, the problem is the timetable that the college were being expected to deliver the training within, didn't enable that. So, the time was split accordingly where one session was done in class, three sessions were done as a practical but, throughout all of that, you would underpin the key lessons which is about the chain of survival, about administering life support or what would you do in this situation?

65. I am asked to what extent was the outcome "Recognising and Managing Respiratory Distress" on page 14 of the SPELS Lesson Note covered. So, again, this ties in with that element of where people are choking as well. So,

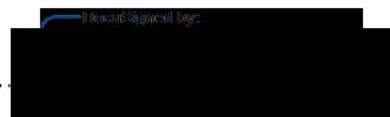
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regarding the notes, you had this specific area but, when you were talking about choking, you were looking and dealing with this area because of the fact that when the person's passageway was blocked, it's a fact that they couldn't speak, they would have difficulty breathing, they might not be able to communicate with you. You can see the distress and anxiety forming in them. You've also got that element of difficulty speaking, and they start to go grey, ash and purple. It could be the fact that if they can start breathing, you get them into a position so, yes, we would go through these.

66. I am asked to outline what was covered regarding position asphyxia during the probationer training in 2014. So, from the notes, it was always a case of reminding them and, as I say, because it tied in with another video that we would have watched during another input, you were always able to remind them of that particular incident and an example of where that had been a case. So, it was reminding the fact that if a person was prone for long periods of time on the front of their body specifically, there was a very strong likelihood that they would suffocate. Christopher Alder was discussed- this was who I was referring to at paragraph 41. So, in one of the inputs, I think it was prisoner care, so it would be in unit 1 or part 8, there was prisoner care and welfare, I can't remember the exact name of it, and one of the key things we showed was a video which is about Christopher Alder – I think it was from a Dispatches programme – because Christopher Alder basically died in custody whilst being left in a prone position on his front with handcuffs to the rear and his trousers around his ankles, and he subsequently died. Dispatches shows the video for the sort of 7 to 10 minutes where they're doing nothing and just laughing and joking around him, and then they realise he's not breathing, and then as the lady who's commentating-- I think she was the solicitor for the family. She was saying, "Then all hell breaks loose," because they realise that he's not breathing and he's likely dead, and they start doing everything they can.

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67. So, we showed this video during that input about the implications of positional asphyxia, but we're doing it from the care of a prisoner and that side. Then I personally would always, always return to that video in regard to positional asphyxia, reminding students of the fact that we know what happens, we've seen examples of that because usually I would teach both of these inputs. It might not be the case with other instructors but, for me personally, it was something which I would always bring it back and where possible I would always tie the notes in accordingly.

68. Now, I also knew that during OST they would mention this when they were doing it, which would have happened later than the SPELS training, a couple of weeks later usually, I think it starts about week three or used to start about week three, there would regularly be bits where they would be reminded. So, if they were handcuffing or if they had to restrain someone in position and place them down on the ground and they had restrained that person and they were handcuffed, I often remember hearing the instructors like Phil Briggs or [REDACTED] or David Agnew or any of the officers who were involved saying and reminding them about things to do with positional asphyxia.

69. So, one of the things about the lesson notes is that many of them shouldn't be taken in isolation. There are links to other areas. Some of the threads flowed through all of the training and, for me, that was one of the things about the notes, they lent themselves to that. Even though they were broken into units and individual modules, you would be dealing with situations for example, if you're dealing with death and you were delivering a death message to someone, we had had bits regards to, communication skills had been already covered, and we regularly return saying, "Remembering what we talk about, how you communicate, what sort of skills are we employing here?"

70. So, this is an area that, for me, I would always return to other areas about that talks about the term "restraint associated death." These are things which we would talk about and instil into them and, at the same time, the students had

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these notes. Whilst paragraph 16 of SBPI-00357 mentions about the fact there is no requirement for students to pre-read, we always would expect students to be prepared for classes and inputs and read the notes regularly and pre-read if possible.

71. I am asked to outline what pre-read information were students provided with before their probationer training. So, before arriving at Tulliallan they wouldn't have had any of this material. Now, I know that's changed, I think, subsequently. I think that students maybe get notes in advance if they went to the online version. I think that that was always going to be the plan. They would have had the notes. On day one, they were given this folder. That was one of the first things they got on day one. They got this folder, and then we went through, they were advised, "These are your notes. Use them. Read them but don't read too far." Like legislation is always a good one as an example, reading too far ahead in legislation which might be complicated, wait until the input, but certain things like diversity and these are things which go through your whole career. So, for me, it was always a case of saying, "These are things you will carry with you every day of your career. You will deal with people day in, day out. Your communication skills are intrinsic to your role." Being able to recognise someone who's in distress or who is clearly injured or having that emergency life support, these are all areas which an officer would be dealing with and have more of every day of their career than they would anything else. How many murders someone deals with, they probably may be involved in one inquiry maybe in their career, but they would deal with something like someone being injured or hurt 10 times more, 100 times more, so many more times.

72. Against the background opinion provided that the section on Position Asphyxia on pages 14-15 of SPELS Lesson Note PS12313 is limited in its content, for example the lesson note does not cover sign and symptoms, identification, or management of positional asphyxia, I am asked if I am able to comment on why this might be the case in 2014. No, I don't. I don't know if

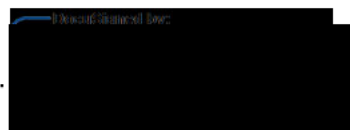
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the OST notes have more on it. I think there's more in-depth information or coverage of positional asphyxia with regards to the OST notes, I can't comment because, as I say, it's not anything I formally undertook. Whilst I was aware of the notes and whilst I observed the inputs, I'd never had to sit the exam, I'd never had to sit the assessment, but I know from experience and from involvement that it was regularly an area that was mentioned and highlighted. I would hope, personally, if someone had done the initial training through this, the SPELS training, and had taken on board the requirement to recognise someone who is in distress, whether it be respiratory or whether it be through loss of blood or whether they're having a heart attack or any of the other symptoms we cover in these notes, that they would be able to recognise if someone was lying face down, that they would recognise that person was in respiratory distress, especially based on my experience of some of the things we talked about in other inputs such as, say, Christopher Elder.

73. I am asked if excited delirium was ever discussed during SPELS probationer training in 2014 as it is not included within the SPELS lesson note. Not that I'm aware. I think the closest I could ascertain to things like excited delirium and, again, it's one of these things where you have all these topics which can come up and they're all relevant and, really and ideally, you'd have really intensive training which covers all areas. If you look at the epilepsy training and, if you have any background knowledge with regards to epilepsy, you can see that the epilepsy notes, it is very cursory. There are so many different versions of epilepsy where someone could go into an absence seizure where they stand, and they just would look distracted. Everyone associates epilepsy with obviously someone going into a full-blown seizure usually and then maybe sleeping, and there are so many different versions of it. There are different things where people might be mistaken for being drunk, for example. So, it's an area, again, that I can't comment, I don't recall seeing any discussion or any area of it being covered before or previously, but it's one of these areas where you can see the complexities of how do you cover such broad topics which actually have many, many other aspects to them?

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74. I am asked if the SPELS probationer training in 2014 covered the topic of the mental health in subjects. This was not specifically covered in SPELS but could often be referred to as a consideration. There were notes in relation to Mental Health both legislatively and generally. If I recall correctly in relation to the care and treatment of those in detention (they were in Unit 1 or Module 1 depending on the version of the notes.)

75. I am asked if the SPELS probationer training in 2014 cover how to identify an individual experiencing a mental health crisis. To the best of my knowledge this was not covered in SPELS or any other notes at the time

76. I am asked if the SPELS probationer training in 2014 covered what to do when a subject is unresponsive and not breathing, in particular when should CPR commence and or identifying and responding to a subject if breathing deteriorates. Yes, this was covered in the notes. It was part of the chain of survival but also the process of what to do and when. During the input when demonstrating the application of CPR when approaching the casualty or individual you explained about trying to illicit a response from them by speaking to them and asking if they could hear you or respond. If it was indicated during this stage that they were responsive you would indicate that this was when you would look at what they required, e.g. did they have a cut, had they had a seizure or a stroke and then follow the correct course of action, which in each case was usually to get medical assistance and monitor the individual being ready to undertake CPR if they became unresponsive and or stopped breathing. It would also be the case that at this stage we would instruct them that if the individual was unresponsive you would move in closer looking for signs of breathing and should they identify that the individual was not breathing, call for assistance updating them that the individual was unresponsive and also not breathing and that you were about to undertake CPR. If you look at the notes it clearly indicates that with DRS ABC you initially looking for dangers to you and the individual, then a response, if you get no response you are shouting for help (in the officer's case calling on their

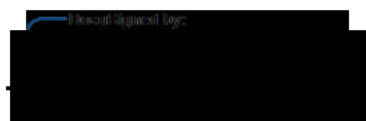
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airwave terminal to advise the control room that they have an unconscious and unresponsive individual and they need medical assistance. A is to check for obstructions to airways, B is to check for breathing and if they are not breathing you Call for help or rather in their case as officers update the control room to advise that they are now about to commence CPR as they have an unconscious, unresponsive and none breathing individual as such updating the control room and the ambulance/medical assistance.

77. I am asked if probationers were trained to call an ambulance in circumstances of emergency, which would also include someone exhibiting signs of positional asphyxia. As with the previous question probationers were advised that they would maintain and monitor the individual so if they had put a casualty in the recovery position they would maintain and monitor them for the possibility that they may stop breathing and if so, undertake CPR at that point. It was also the case that if, for any reason they could not move the individual into the recovery position then they would still monitor them. From my recollection positional asphyxia is not mentioned specifically in the SPELS notes but it was referred to in the OST notes and I would myself would remind probationers of this. If you look at the notes, it was always the case that you are getting medical assistance and monitoring the individual until such time it arrives and relieves you of your assistance. I am also asked if students were trained on the information that should be provided to call handlers or paramedics. Officers are not trained medical professionals and they were providing emergency life support until the professionals did arrive and take over.

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Opinion: Inspector Young and SPELS training

78. I am referred to Inspector Young’s Statement SBPI-00153 paragraph 47 where he says:

“I’m asked about the first aid training which was provided in 2014/2015. The student officers at Tulliallan got their Scottish Police Emergency Life Support (SPELS) training package which there was lesson notes for. I can’t actually remember how many hours was dedicated to that. I think it was potentially four, but I can’t be sure. But that was a standalone first aid training and was along the lines of basic life support.

So, we talk about the chain of survival, basic life support, conducting casualty assessments, recovery position, choking hazards, how to treat choking, how to identify heart attack and control of bleeding. I think dealing with stroke and seizure were also involved and water safety. So, all student officers received their SPELS training, their basic life support training. They had to pass an assessment on that. That was conducted by a cadre of qualified first aid instructors separate to the OST. So, it was basic life support, basic identification of casualty assessment and then actions to be taken.”

79. I am asked what my opinion is in relation to this paragraph. Yes, I agree with this. I mean, as I’ve said, in regard to his memory of the time it’s four 45-minute periods but, yes, exactly as I’ve said before.

SPELS Training relating to Race or Ethnicity

80. I am asked if the SPELS probationer training in 2014 covered considerations as it relates to race or ethnicity in so far as it relates to signs and symptoms that you might look out for in the learning outcomes. No. So, the extent of the training was it’s just a straightforward, “We’re dealing with this.” The only time you would go into things like that would have been when you were looking at things like diversity and making students recognise that we all have

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unconscious bias, we all have prejudices, and those sorts of things were brought in through the diversity training. In regard to SPELS, it's not anything which was directly linked into or specifically taught in regard to it. It's not an area which I recall ever being part and parcel of it.

81. As a diversity trainer, again, with me talking from the point of view of actually saying about how I would bring back lesson points and reminding people, it's that element of things like the face mask and face covering for when you're doing breathes. As an officer, you are dealing with people who you might not want to necessarily come into contact with in various ways because of cleanliness, for example, or other things. So, things like face masks can help people negate various things that they might feel unhappy about, being around a drug addict, for example.

82. It's about reminding people that, in this situation, if they have prejudices and they treat people differently then, yes, they are showing and demonstrating prejudice, and they are actually treating people differently based on that. However, they're not in a position as an officer to make those decisions. They need to treat everyone equally and fairly, irrespective. So, for me, maybe as a diversity training is something which I would maybe throw into the discourse just generally because it is a case of just reminding students, but it's not anything which was specifically highlighted in the notes.

Adequacy of SPELS Training provided in 2014

83. I am referred to Police Scotland's Position Statement 7 SPELS on behalf of the Chief Constable of Police Scotland SBPI-00357 at paragraph 28, there's a paragraph that says:

"The SPELS lesson note for probationers was not used in SPELS refresher training. However, the SPELS refresher training would cover practical skills, CPR, and recovery position, as well as medical emergencies that officers

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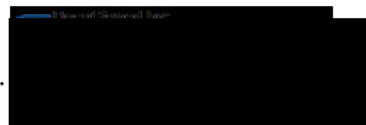
might encounter, such as positional asphyxia as set out in the SPELS lesson note.”

84. Although I was not involved in the recertification training for SPELS and as a result of my experience as a SPELS probationer instructor, I am asked if I am able to comment on whether the nature of recertification training provided in 2014 seemed adequate and fit for purpose. That statement is correct. That is how I remember it and, I know this because I would have regularly had colleagues of mine go back to the recertification, and the recertification was very much based around could they still handcuff someone safely? Could they still do this safely? Would they be able to do things like CPR, etc.?

85. Where I feel that it's lacking and where I feel that there is an aspect of it not maybe being fit for purpose, is if you think regards to my involvement of adding things around water safety and also regards to epilepsy, any officers subsequently who have been recertified at that point of those notes being updated, has not been given that same information, irrespective of whether it was Police Scotland or whether it was before Police Scotland came into existence. So I would personally and professional say that I do not feel that the notes, whilst they are delivering what is expected of all officers from day one and, that as an officer they are expected to be able to do all the things included in these notes and have above and beyond, there are other things in other areas of the training, but when it comes to recertification, there are certain aspects which I feel that do get left behind and ignored.

86. I do appreciate the complexities and the challenges of maybe retraining the volume of staff you have within an organisation the size of Police Scotland, or if you go back to when it was eight legacy forces. I do appreciate the challenges, but I do think it's short-sighted to not think that so many things would have changed. CPR, I get that gets re-updated and I get that, but there are so many things which students, officers, probation officers coming on to shift that probably know more of than their colleagues, because their

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colleagues are just living by the, "This is how we do it", or "This is what I've been told." So, I do think that it is an area which I think should be improved, that if you are going to recertify someone in OST, SPELS is in essence and technically part of your OST training, so you should do the whole thing because you do the same with handcuffing or baton use.

87. I am asked, in my opinion, was the SPELS probationer training in 2014 adequate and fit for purpose. Personally, I always think there could have been more, and professionally as well. The challenge was you have an organisation who can't choose the incidents they go to, and they can't choose the situations they deal with. They are the thin blue line, as we regularly hear. I think, as an organisation, there are things which they respond to that 99 per cent of the public would never ever anticipate. In an ideal world, you would give everyone who decides to join this organisation the opportunity to be able to provide the absolute utmost service and response. The trouble is that conflicting things have obviously, I think, put them in a challenging position that you can only deliver so much training. Within my time of probationer training, I arrived, and we had 15 weeks, and, within a few months, there was a requirement to reduce it down to 12, and then they changed again, and they went with 13.

88. One of the underlying factors with that was always the challenge of managing budgets, ensuring that we were getting value for money, etc. I can see on the document the word "Moodle," the suggestion of then delivering things online, for example on an online learning platform. I will always argue that blended learning is the best type of learning. Online learning alone does not provide you with quality, but people saw that, for example, as how do we reduce the requirement of officers spending 10 weeks or 14 weeks, or however many weeks it was, at a facility to learn? Because it's expensive, and the challenges the organisation faced prior to Police Scotland as well, was always down that route of, how can we provide training in a much more cost-effective manner? It's been going on since 2010 with things like austerity.

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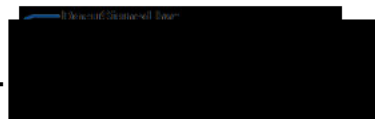
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89. So, on one hand, I think what the organisation has done is they've tried to ensure that they can bring and provide their recruits and their officers within the organisation with the training that's needed of them to a standard which the public expect them to have and the politicians expect them to have. I do think there could be more, but there's that fine line of that unanswerable question of, "So, where do we find the money for that? Where do we find the time for that? How long do we expect someone to train within the post?", but equally a part of me is very much this is actually people's life and death situations you're talking about. I do think there are some things which you can't look at, and you can't scrimp and scrape on.

90. I do think that decisions to make the training in some ways quicker and slicker were short-sighted, irrespective of how much it might save time, 45 minutes here or 45 minutes there, to help reduce a course down overall. Because these are one-off incidents where people are going to arrive and make split-second decisions and, if as an organisation, they haven't been given the tools or the requisite skills or abilities to deal with something, then any organisation in that situation is going to be failing. I do say that with a heavy heart because I do know how much work goes into training officers, having been there. I'm on the outside now from that perspective, and I know the police are not a popular subject with lots of people, but I feel immensely proud of the work I did there and continue to do so. I do think that more could be done though. I always do think you can do more irrespective of how much you do.

91. In relation to the online training platform Moodle which was used for SPELS recertification training, I am asked if I had oversight or input into this theoretical element of the SPELS recertification training. I had no involvement or oversight of this training and am unable to provide a statement or comment on the process or use of Moodle for recertification.

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Contact with other witnesses

92. I am asked if I know or have spoken with other witnesses in this inquiry or discussed the inquiry with them. No, my contact with Police Scotland ended when I left the organisation. After I left the organisation, I had no further contact or involvement with Police Scotland and have not spoken to any other witnesses in the Inquiry.

Post Involvement and Media

93. I am asked if I have been involved at all in the investigation since 03 May 2015. No, the only contact I've had aside from yourself, was the previous interview just to go over my involvement which has probably led to this conversation.

94. I am asked if I have been following the inquiry on the news or social media so far. Not directly. When this first came to light, because of one of the officer's names being very recognisable because he was a student, one of my former class students, that was what pricked my ears up, so that was one reason why I knew. As a result of that, at the time when I was within the organisation, it was one of those things like I was thinking, "Yes, I'm going to get an interview about this one day."

95. 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.

November 2, 2023 | 6:16 PM GMT
Date signed.....

Signature of witness.....

