

Complaints, Investigations & Misconduct in Policing

Implementation of Recommendations

Thematic Progress Report

May 2023

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List of recommendations in full can be found at: [Policing - complaints handling, investigations and misconduct issues: independent review - gov.scot \(www.gov.scot\)](#)

Links to previous thematic progress reports:

- the [first thematic report](#) published on 24 June 2021
- the [second thematic report](#) published on 16 December 2021
- the [third thematic report](#) published on 23 June 2022
- the [fourth thematic report](#) published on 13 December 2022

¹ The name of the bill is subject to change

Foreword by Cabinet Secretary for Justice and Home Affairs and Lord Advocate



Ensuring public trust and confidence in the police is imperative for a healthy democratic society. Recent cases involving the criminal actions of serving police officers will undoubtedly have damaged that trust and confidence nationally. A police service that invites scrutiny and challenge and has an active learning culture and commitment to continuous improvement is essential. We welcome the commitment of the SPA Chair, Martyn Evans and the outgoing Chief Constable Sir Iain Livingstone to assess Baroness Casey's Independent Review into the standards of behaviour and internal culture of the Metropolitan Police Service to ensure that any and all organisational learning can be captured. We are sure this commitment will extend to other reviews taking place in the UK, but also here in Scotland, including the forthcoming HMICS Organisational Culture Thematic Inspection. This inspection, due to report later this year, will assess whether Police Scotland has a healthy organisational culture and ethical framework, including the quality of vetting and renewals, and whether the appropriate values and behaviours are consistently lived across the organisation.

Whilst the vast majority of police officers work tirelessly to protect and support our communities, if things go wrong, the police are held to account, lessons are learned, and improvements made. The principle of policing by consent, so central to our justice system, is built on this accountability. We recognised that although the framework and systems covering this complex landscape were fundamentally sound, further improvements were needed and we took decisive action when we commissioned Dame Elish Angiolini to undertake her independent review.

Since the publication of that review in late 2020, Scotland has been on its own improvement journey in respect of the police complaints and misconduct landscape. Dame Elish's review made 111 recommendations for improvement and as shown in this report the collective commitment and actions of our policing partners mean 58 recommendations have now been delivered. Their delivery brings greater transparency, fairness and accessibility to systems, policies and processes that underpin the police complaints and misconduct process. These improvements are helping to make the police complaints system easier to navigate for members of the public, as well as increasing consistency, efficiency and swifter resolution for all those involved in complaints, investigations or misconduct.

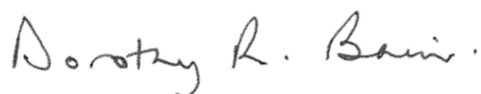
This is a significant milestone and provides a firm foundation on which to deliver legislative improvements in the shape of the Scottish Government's Police Complaints and Misconduct Handling Bill² which will be introduced before the summer. Legislation, however, can only go so far and this journey of improvement must be underpinned by cultural and behavioural change within our policing organisations. We have been assured by the good work undertaken so far by Police Scotland to drive this improvement forward. The Policing Together Strategy is further evidence of their determination to tackle racism, sexism and misogyny and ensure that equality, diversity, inclusion and human rights are always at the centre of policing.

The challenges of the COVID-19 pandemic and other major policing operations over the past three years has been significant and we remain impressed at the level of commitment and continued focus from policing partners to implement recommendations. It is vital that we continue to work collaboratively to strengthen public and parliamentary confidence in policing in Scotland bringing greater fairness, transparency, accountability and proportionality, protecting the human rights of all involved.

We would like to place on record our continued thanks to all partners for the work done in taking forward implementation of Dame Elish's recommendations. Their leadership and determination have already delivered major business transformation and service redesign to improve how complaints are handled. We are confident that they will continue to progress the remaining non-legislative recommendations as we enter into a new phase to deliver legislative change.



Angel Constance
Cabinet Secretary for
Justice and Home Affairs



Rt Hon Dorothy Bain KC
Lord Advocate

² The name of the bill is subject to change

Introduction

In November 2020 Dame Elish published her final report of the [Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing](#) which, including 30 made in her Preliminary Report, made a total of 111 recommendations for improvements to complaints and conducts systems, processes, procedures and legislative framework. Roughly two thirds of the recommendations were non-statutory and aimed at operational partners, including Police Scotland, SPA, PIRC, COPFS and HMICS. The remaining ones require primary and secondary legislation, including amendments to reserved legislation, in order to fully implement.

Since 2021 a three-tier governance framework, led by a Ministerial Group, has provided oversight and assurance on the pace and implementation of recommendations, and regular thematic reports have been published to chart progress.

The focus and oversight to date has rightly been on those recommendations which do not require legislation to fully implement with majority of the non-legislative recommendations now signed off by the Ministerial Group as completed. The impacts of the transformative changes made by policing partners go a long way towards improving the experience for those involved in the police complaints process, as well as strengthening our rights-based approach and the commitment to ongoing improvement and progress.

However, there is recognition from all policing partners that further assessment will be required at a future date to ensure that steps taken to implement those recommendations have delivered the intended outcome and that improvements are sustained through a process of continuous review and development.

This report gives a summary of the journey so far. As we move into the next phase of reform and the introduction of legislation, we can be confident that all of the work delivered so far has laid strong foundations on which to build and enable further improvements to the system of complaints handling and investigations.

Working Together to Deliver Improvements

Dame Elish's vision was to improve the way complaints and misconduct are handled. She stated that 'it should be easy to complain, easy to get a response and easy to learn the lessons.' The report identified barriers and examined how these could be reduced or removed to make the systems more accessible and improve the experience of all those involved in the process including the public, victims and witnesses of crime, as well as police officers.

Since publication of Dame Elish's reports, policing partners have driven forward programmes of work aimed at removing or reducing those barriers identified by Dame Elish and in some instances have gone further than the recommendations to ensure that the benefits and improvements made are fit for purpose and are sustainable for the future, including:

- The **development and roll out of a new operating model for complaint handling within Police Scotland** with all complaints managed by dedicated teams within the Professional Standards Department (PSD) rather than local policing. This is supported by a revised handling process (Frontline Resolution Process) to improve early resolution and consistent service delivery to complainers, thus ensuring greater public confidence in the process.
- **New and revised training products and guidance** have been developed and rolled out by Police Scotland, SPA and PIRC **to enhance workforce capability** in number of key areas, including complaint handling and resolution; law of evidence; unconscious bias and supporting individuals with mental health trauma.
- **Revised SPA guidance on Senior Officer Conduct procedures** rolled out, to improve current processes in advance of legislative change.
- Significant improvements made by all partners (Police Scotland, SPA, PIRC and COPFS) **to improve accessibility for members of the public to the police complaints process**, and clear signposting on how to make criminal allegations to COPFS directly which is now visible on all partner websites. Police Scotland also introduced use of a QR code to access the complaints section of their website.
- The launch of the **Policing Together Strategy** which brings together multiple strands of work already in progress within Police Scotland **to improve equality, diversity and inclusion (EDI)**, bolstered by the Chief Constable's commitment to ensure there is no tolerance for misogyny, racism and discrimination in the ranks or across wider society.

These are just a few examples of how Dame Elish's independent review has been the catalyst for systemic cultural change and organisational development. Although primarily aimed at Police Scotland, through continued collaborative working and wider ambition in the area of equality, diversity and inclusion, it has also led to improvements being made by other policing partners to change culture and attitudes within policing.

Recommendations Signed Off as Completed

Since the last thematic progress report was published in December 2022, a further 3 non-legislative recommendations were approved by the Ministerial Group as completed:

- R68 Strategic Oversight Group or National Complaint Handling Development Group to engage with SPSO.
- R69 Amendment to Letter of Rights to clarify general rights and right to complain for detainees in custody.
- PR27 All audit arrangements, including regular dip-sampling to be priorities and co-ordinated to improve standards and service to the public.

A table illustrating all of the non-legislative recommendations now signed off by the Ministerial Group as completed is shown in [Annex A](#). Consistent with previous thematic progress reports, the recommendations have been organised by theme and include details of the lead partner, as well as date of completion. The table shows a total number of 58 non-legislative recommendations now completed, leaving only 10 still in progress.

Some recommendations will take longer to implement. For example, recent upgrades to the Centurion database require testing to ensure new systems for collection of diversity data are reliable and training plans need to be developed so that staff using the systems have the appropriate skills. Others are more complex, involving several different partners from across the public sector and requiring multiple phases of work to be completed before reaching conclusion.

The table also includes 2 recommendations which Scottish Government will continue to keep under review (R43 and R75) and 2 recommendations that stretch beyond policing, such as those relating to NHS mental health provision (R72) and civil law (R76). These recommendations will, therefore, continue to be progressed by Scottish Government but will no longer feature in thematic progress reports.

A high-level summary of the overall progress made within each of the themes is given below.

Theme 1: Rights and Ethics

Protecting and respecting fundamental human rights is at the heart of the justice system in Scotland and are central to the framework and systems for police complaints handling, investigations and misconduct. Indeed, rights and ethics are themes that emerge throughout the entirety of Dame Elish Angiolini's Independent Review and significant progress has been made to deliver these recommendations.

New structures and arrangements to strengthen cross-agency liaison, scrutiny and accountability (R4) have been implemented. Revised Post Incident Procedures were also developed and successfully deployed by Police Scotland, in consultation with PIRC and COPFS ensuring the integrity of independent investigations of serious incidents involving the police (R3).

Joint working by COPFS, PIRC and Police Scotland led to successful introduction of a revised approach to assessment and investigation of alleged breaches of Article 3 (prohibition of torture, inhuman or degrading treatment or punishment) and/or Article 5 (the right to liberty and security of person) where all such cases are referred to PIRC (R47) who will also conduct audits of triage within PSD of public complaints against the police to ensure that allegations of criminality and breaches of Article 5 are correctly identified and reported (R42).

Scottish Government, in consultation with partners, also developed new Easy Read and Children and Young People's versions of the Letter of Rights to clarify general rights and the right to complain for detainees in custody (R69).

One remaining non legislative recommendation in this theme relating to SPA's development of an Ethical Oversight Framework (R32) is anticipated to be fully completed in the coming months.

Theme 2: Jurisdiction and Powers

As we have reported previously, all recommendations within this theme are likely to require either primary or secondary legislation to fully implement – with the exception of one which we will keep under review – and reporting on this theme has, therefore, been limited.

Theme 3: Governance and Accountability

Whilst many of the recommendations in this theme require legislation to implement, the PIRC has made changes to staffing structures. They have strengthened their leadership and scrutiny function through increasing legal capacity and appointing new members to its Audit and Accountability Committee.

Joint working between SPA, Police Scotland and PIRC has resulted in improved content and public reporting to SPA's Complaints and Conduct Committee (R29 and R79). Reporting now includes KPIs, timeliness and 5-year trends analysis (R4, R45 and R78); as well as annual assessment and publication of whether or not the Chief Constable has suitable complaint handling arrangements in place (R59).

Police Scotland has also redesigned the Local Commanders' Report to improve the information provided to local authorities (R33) providing further support to the role of Local Scrutiny Committees in considering complaints handling within local areas.

The two recommendations still in progress (R29 and R79) are on track for completion in the summer and, if approved by the Ministerial Group will, at that point, see all non-legislative recommendations within this theme completed.

Theme 4: Transparency and Accessibility

All of the recommendations grouped under this theme are non-statutory and were reported as completed in June 2022.

The progress made was the result of collaborative working by partners to ensure that information on the complaints system and processes are transparent and accessible and clearly communicated to members of the public.

The PIRC's website has been updated to clarify the role of SPSO in handling complaints about PIRC (R36), particularly if an individual is dissatisfied with how their complaint has been handled. Improvements have also been made to the SPA website so that the role of the SPA's Complaints and Conduct Committee is more prominent, and its activity is now reported on via SPA's Annual Report and Accounts (R30 and 31). SPA's complaints handling page now provides further clarity about the complaints handling process, including an online complaints form which incorporates equality and diversity monitoring, as well as guidance to complainers on the types of complaints within and out with SPA's remit.

Since December 2021, COPFS has published additional easily accessible guidance on their website explaining the option of making a complaint against an off-duty police officer directly to COPFS (R46) rather than Police Scotland. The signposting of the option for reporting directly to COPFS is now also included in the websites, and other publications, published by other partner investigating agencies (Police Scotland, SPA and PIRC).

The completion of all recommendations within this theme ensures that information on the complaints system and processes are easier for everyone to access and understand.

Theme 5: Equality, Diversity and Inclusion

Throughout her report, Dame Elish emphasised the crucial importance of living up to professional standards and that achieving this depends to a large degree on the culture that exists across the service.

Since publication of Dame Elish's final report, Police Scotland has established and is delivering a substantial programme of work aimed at transforming its culture, enhancing recruitment, leadership and training to develop a culture which reflects its values of integrity, fairness, respect and commitment to upholding human rights.

Almost all of the recommendations within this theme have now been signed off as completed which reinforces Police Scotland's determination to eliminate discrimination which is critical to ensuring we have a fair and equal justice system. This includes the establishment of a Sex, Equality and Tackling Misogyny Working Group and the Policing Together strategy to embed equality and inclusion and become an actively anti-racist organisation (R15 and R17). The Policing Together Strategy brings together various initiatives within Police Scotland under this one umbrella with the ultimate goal of improving equality, diversity, inclusion and human rights – tackling racism, sexism and misogyny and becoming an actively anti-racist organisation. A new

Assistant Chief Constable has been appointed to lead implementation of this significant portfolio of work.

To further support this strategic aim, the Chief Constable has established a standing Independent Review Group (IRG) to provide critical oversight of equality matters, guide strategic direction and scrutinise activity across 3 main themes: Culture, Strategic Direction and Training and Development. It will deliver a report to the Scottish Police Authority by the end of 2023 (R18).

A suite of new and revised training products and guidance has also been developed by Police Scotland, SPA and PIRC to enhance workforce capability in number of key areas, including complaint handling and resolution; law of evidence; supporting individuals with mental health trauma; and unconscious bias (R17, R44 and R66).

Four recommendations (R5, R18, R19 and R60) are currently still in progress within this theme, three of which encompass work by Police Scotland and SPA, to collect and publish diversity data to facilitate better analysis and understanding of issues relating to discrimination (R5, R19 and R60). The Centurion database which captures this data is currently undergoing an upgrade. This is being supported by a training programme to ensure staff using the database have the necessary knowledge and skills to fully deliver on these recommendations. It is anticipated that these recommendations, together with R18 will be considered for sign off as completed once the IRG has presented its report to the SPA Board towards the end of 2023.

Theme 6: Conduct and Standards

Dame Elish set out a framework that strengthens the investigation of misconduct by police officers and most of the recommendations that underpin that framework will require either primary or secondary legislation to fully implement.

In advance of legislation, the SPA took steps to improve its Guidance on Senior Officer Conduct Regulations (R26), including the preliminary assessment process and consideration of alternative options other than suspension of officers (PR18). This also took account of points such as anonymity and potential vexatious basis of complaints. Revisions also addressed prioritisation of complaints against senior officers (PR16) ensuring that timeliness is reinforced throughout the guidance. The revised guidance is now available on the SPA website.

Theme 7: Training and HR

Progress under this theme illustrates the importance policing partners have placed on the need for training and reviewing working practices to improve the experiences of those engaging with the police complaints, investigations and misconduct systems.

A strategic workforce planning needs analysis exercise undertaken by PSD has examined the composition of the workforce and the resourcing requirements of PSD in the area of complaint handling. As a result, PSD now has more officers at constable and sergeant rank and has dedicated, experienced staff to progress all complaints (PR3). Police Scotland has also established an Operational Priorities, Capacities and Resilience group (OPCR) and Resource Prioritisation Group (RPG) which will ensure that the allocation of resources is managed appropriately and that no area is disproportionately impacted as a result of any change in resourcing and experience.

A suite of training packages has been developed by Police Scotland, PIRC and SPA, based on skills analysis, to ensure that all officers and staff involved in the complaints handling process have the appropriate skills and expertise required. The training packages range from a comprehensive 5-day induction for new PSD officers (R6) jointly developed by Police Scotland, COPFS and the Scottish Police Federation and training material developed jointly by Police Scotland and PIRC which is designed to embed learning from thematic analysis of complaints. SPA has also implemented a comprehensive programme of training and development (PR17) for its own Complaints Handling Team.

Police Scotland also now provides training on engaging with individuals displaying mental ill-health symptoms or related behaviours (R67) which is delivered to all new uniformed sergeants. They have also appointed a training coordinator in National Support, Partnerships and Prevention Unit (NSPPU) with responsibility for coordinating training across PSD business areas (R62).

In addition, PIRC has actively ensured that its recruitment practices are focused heavily on assessing the skills the business requires at the point of a vacancy being created and work has been embedded to develop the PIRC Skills Matrix, which generates the production of specific skills profiles for each role in the organisation (PR24).

The recommendations delivered within this theme represent a significant body of work to develop new and improved induction and other training packages for all officers and staff involved in the complaints handling process. Only one recommendation remains in progress (R11) which asks Police Scotland to consider front line sergeant workload and supervisory ratio of sergeants to constables. Given the complexity of this recommendation, it will take longer to fully address.

Theme 8: Efficiency and Effectiveness

Dame Elish identified a number of areas where greater efficiency and effectiveness could improve the complaints process and elements of these feature in many of the recommendations, with learning for all partners.

Almost all of the recommendations within this theme can be implemented without legislation and the work progressed by partners to address these recommendations has now been approved for sign off as completed. Highlights of the progress made are included below.

As noted earlier in the report, one of the most significant changes to the system of police complaints resulting from Dame Elish's review is the development and roll out of a new operating model for complaint handling within Police Scotland, whereby all complaints are managed by dedicated teams within the Professional Standards Department, supported by a revised process to improve early resolution and consistent service delivery (R9).

PIRC also updated its Statutory Guidance which now clarifies timescales for the submission of complaints (R80) by the public and includes discretion for Police Scotland to discount complaints that are more than 12 months after the event if they satisfy the specified criteria. This links closely with recommendations within theme 4 which are aimed at ensuring information on the complaints system and processes are transparent and accessible and clearly communicated to members of the public.

Dame Elish's observations regarding NHS accident and emergency facilities in relation to mental health care and acute crises (R72) extend beyond policing and, therefore, does not sit

within these governance and reporting structures. However, given the Scottish Government's ongoing commitment to improving mental health services in Scotland, we have provided substantial progress updates in all four previous thematic reports.

Theme 9: Audit and Review

Most of the recommendations within this theme have been signed off as completed, with only two still in progress (R7) and (R71) and one which Scottish Government will continue to keep under review (R75).

Partners took early action to implement these recommendations as quickly as possible and have continued that commitment to ensuring the benefits of audit and review in improving services and increasing public confidence in the police complaints and misconduct system are realised.

PIRC now conducts annual audit of triage within PSD of public complaints against the police to ensure matters are properly identified and routed, and to provide assurance that Article 3 and Article 5 cases are correctly identified and reported to COPFS (R42). The first audit took place in 2022 and PIRC will also be producing an annual audit programme. SPA will also conduct regular dip sampling which is designed to identify poor and good practice and emerging trends to support the common objective of improving standards and service to the public.

In addition, Police Scotland has, with input from Audit Scotland, now developed an audit methodology for complaint handling (R61) which involves a fully comprehensive audit of all complaint categories, featuring controls which measure the life cycle of a complaint. This provides a complete oversight of the six stage complaint handling process demonstrating an ongoing commitment to monitor and track all types of complaints against the Police received by Police Scotland.

As reported above, work is continuing on delivery of a further two recommendations within this theme - (R7) and (R71). Although the partners involved and aims of these recommendations are different, both recommendations are dependent on a number of other actions being concluded which will then allow work to progress further. It is anticipated that these recommendations will be further advanced by autumn after which they can then be then be considered for sign off as completed.

Police Complaints and Misconduct Handling Bill³

As noted in our previous reports, recommendations made by Dame Elish which would require legislation to implement will be subject to a separate process of Parliamentary scrutiny once the draft Bill is introduced into Parliament – this is expected to be before the summer of 2023. The full list of those recommendations is shown in the table at [Annex B](#), however, we are unable to disclose any further details about those recommendations, or the forthcoming Bill, before it has been introduced and published on the Parliament’s website.

Future Governance and Reporting

The governance and reporting framework will remain in place with appropriate adjustments which are proportionate to the oversight and assurance required for the small number of non-legislative recommendations still in progress.

However, Scottish Government remains committed to transparency on progress and will report further when work to implement the remaining recommendations has concluded and they have signed off as completed by the Ministerial Group.

Further consideration will also be given to the mechanisms and continuous cycle of review that will be necessary to ensure that the improvement work undertaken thus far to implement recommendations has delivered the intended outcomes.

³ The name of the bill is subject to change

Status of All Non-legislative Recommendations

Theme 1: Rights and Ethics			
Recommendations		Lead	Status
32	Ethical Issues – roles of Committees	SPA	In progress
69	Amendment to Letter of Rights to clarify general rights and right to complain for detainees in custody	Scottish Government	Completed 18.5.23
76	Consideration of a scheme to pay reasonable travel and subsistence expenses and compensation for loss of earnings for next of kin involved in FAIs	Scottish Government	In Progress*
3	Prevention of post incident conferral other than for pressing operational reasons	Police Scotland	Completed 16.12.21
21	Police Scotland to review and audit whistleblowing arrangements and data	Police Scotland	Completed 16.12.21
47	COPFS to refer all potential Article 3 and Article 5 breaches where a crime may have been committed to PIRC rather than Police Scotland	COPFS	Completed 16.12.21
70	Independent Custody Visitors to check that third parties have been notified of detention	SPA	Completed 24.6.21
73	PIRC to act speedily in investigations of deaths in custody	PIRC	Completed 24.6.21
77	Restricted duties or transfers during investigation to take account of family circumstances and support	Police Scotland	Completed 23.6.22
PR1	Police Scotland to refer all allegations of excessive force to COPFS	COPFS & Police Scotland	Completed 24.6.21
Theme 2: Jurisdiction and Powers			
43	Hold in mind a possible PONI model	Scottish Government	Keep Under Review
Theme 3: Governance and Accountability			
29	SPA to hold Police Scotland to account for any delays and raise any concerns over PIRC delays with the Commissioner	SPA	In progress
79	SPA Complaints and Conduct Committee to scrutinise Police Scotland's performance in dealing with complaints and hold to account	SPA	In progress
4	Police Scotland performance report to identify 5 year trends	Police Scotland.	Completed 23.6.22
33	Local scrutiny committees to consider what further complaints information or discussion would assist their scrutiny of the police	Local Scrutiny Committees & Police Scotland	Completed 16.12.21

Theme 3: Governance and Accountability cont			
45	PIRC to report performance against targets in the Annual Report	PIRC	Completed 24.6.21
59	SPA to confirm in its annual report whether or not the Chief Constable has suitable complaint handling arrangements in place	Police Scotland.	Completed 13.12.22
78	Chief Constable to publish annually Police Scotland's performance in handling complaints against timescales in statutory guidance	Police Scotland.	Completed 13.12.22
PR23	PIRC to consider building into structure legal support and advice capacity	PIRC	Completed 24.6.21
PR26	Establishment of Senior cross agency working group	All partners	Completed 24.6.21
Theme 4: Transparency and Accessibility			
Recommendations		Lead	Status
30	Greater public sharing of SPA Complaints and Conduct Committee work	SPA	Completed 16.12.21
31	SPA Complaints and Conduct Committee work to feature in SPA Annual Report and Accounts	SPA	Completed 16.12.21
36	Publicising recourse beyond PIRC to Scottish Public Services Ombudsman	PIRC	Completed 24.6.21
46	Publicising avenue to take criminal allegations to COPFS directly	COPFS	Completed 23.6.22
48	Police Scotland to publicise right to complain	Police Scotland	Completed 23.6.22
49	Know your Rights section of the Police Scotland website to be improved	Police Scotland	Completed 23.6.22
PR6	Police Scotland to adjust "Early intervention" practice to ensure officers are aware of a complaint against them	Police Scotland	Completed 24.6.21
PR8	Police Scotland to simplify navigating complaints process for members of the public	Police Scotland	Completed 24.6.21
Theme 5: Equality, Diversity and Inclusion			
5	Police Scotland and SPA to consider expanding collection and publication of diversity data	Police Scotland & SPA	In progress
18	Independent review of equality matters within Police Scotland	Police Scotland	In progress
19	Police Scotland should develop its diversity data collection and analysis to inform a proper understanding of issues related to discrimination	Police Scotland	In progress
60	Police Scotland to analyse complaints data to gain a better understanding of different groups and communities' experience of the police	Police Scotland	In progress
15	Police Scotland to use staff surveys, meetings and focus groups to understand the experience and impacts of discrimination, prejudice and unconscious bias on all minority groups in the workforce	Police Scotland	Completed 23.6.22

Theme 5: Equality, Diversity and Inclusion cont			
16	More diverse panels for disciplinary hearings	Police Scotland	Completed 13.12.22
17	Appropriate support for anyone who is subject to internal or external discrimination	Police Scotland	Completed 13.12.22
44	PIRC should ensure that discrimination issues are considered as an integral part of their work	PIRC	Completed 13.12.22
50	Third-party reporting centres for hate crime, including those representing minority groups, to offer support to complainers	Police Scotland	Completed 16.12.21
66	All Police Scotland Officers and staff to receive training on unconscious bias, equality legislation and diversity with refresher courses	Police Scotland	Completed 23.6.22
PR12	Police Scotland to reflect on the culture of the new service, address any long-standing issues and consider how everyone in the organisation can help to change that culture for the better	Police Scotland	Completed 24.6.21
Theme 6: Conduct and Standards			
Recommendations		Lead	Status
26	PIRC to collaborate with SPA on preliminary assessment process (until legislative change is in place)	SPA/PIRC	Completed 16.12.21
PR16	Complaints against senior officers should be prioritised and dealt with as speedily as possible	SPA/PIRC	Completed 16.12.21
PR18	SPA to consider alternative options for senior officers other than suspension	SPA	Completed 16.12.21
Theme 7: Training and HR			
11	Police Scotland to consider front line sergeant workload and supervisory ratio of sergeants to constables	Police Scotland	In progress
6	All officers and support staff in Police Scotland's Professional Standards Department (PSD) to receive comprehensive induction training and regular refresher development	Police Scotland	Completed 16.12.21
14	Police Scotland Executive team should consider in depth and review the criteria and competencies that it uses to assess police officers' readiness for promotion	Police Scotland	Completed 23.6.22
62	Police Scotland to appoint a PSD training officer to liaise with the SPSO, the PIRC and the SPA on joint training, best practice	Police Scotland	Completed 16.12.21
63	PIRC staff to work shadow police officers at peak times to understand context	PIRC	Completed 13.12.22
64	PIRC in house training on law of evidence	PIRC	Completed 16.12.21
65	PIRC and Police Scotland to develop training and development opportunities to embed learning from thematic analysis of complaints	PIRC/Police Scotland	Completed 23.6.21

Theme 7: Training and HR cont			
67	Police Scotland to provide training on engaging with individuals displaying mental ill-health symptoms or related behaviours	Police Scotland	Completed 23.6.22
PR2	Police Scotland to review service-wide capability of line managers, including the adequacy of training and support mechanisms	Police Scotland	Complete 24.6.21
PR3	Police Scotland to consider for employing more non-police officer support staff in PSD. This is an option that Police Scotland may wish to ask HMICS to review	Police Scotland	Completed 13.12.22
PR4	Police Scotland to ensure that grievance matters are not artificially elevated and dealt with as conduct matters	Police Scotland	Completed 24.6.21
PR9	Police Scotland to raise awareness of internal systems for mediation and grievance	Police Scotland	Completed 24.6.21
PR10	Police Scotland to provide officers in frontline resolution with training in mediation and customer handling	Police Scotland	Completed 24.6.21
PR17	Training for complaints and conduct officers in SPA to be consolidated to ensure up-to-date knowledge of complaint handling best practice	SPA	Completed 13.12.22
PR24	Following retirement of former police officers PIRC policy should be to replace them with non-police officers	PIRC	Completed 13.12.22
Theme 8: Efficiency and Effectiveness			
Recommendations		Lead	Status
68	Strategic Oversight Group or National Complaint Handling Development Group to engage with SPSO	Scottish Government	Completed 18.5.23
72	NHS accident and emergency facilities designed to be able to deal safely with mental health care and acute crises	Scottish Government	In progress*
9	All frontline resolution should be carried out by Professional Standards Department	Police Scotland	Completed 16.12.21
80	Time limit for submission of complaints by the public should be clear in the PIRC's statutory guidance and publicised on the relevant websites	PIRC	Completed 24.6.21
PR11	Police Scotland to accelerate plans to expand use of Body Worn Video	Police Scotland	Completed 23.6.22
PR20	PIRC to consider the case for creating regional presence to enhance its capacity to respond immediately	PIRC	Completed 24.6.21
PR25	Independent management review to ensure that the PIRC has appropriate leadership, skills and culture to carry out its functions	PIRC	Completed 24.6.21

Theme 9: Audit and Review			
7	Next follow-up audit of six-stage complaint handling process or audit of frontline resolution to be carried out by PIRC	PIRC	In progress
71	HMICS, and health inspection or audit body, to conduct a Review of efficiency and effectiveness of the whole-system approach to mental health	HMICS	In progress
75	Scottish Government to consider which findings and recommendations made in the Deaths in Custody review points from 2017 could and should be mirrored by public bodies in Scotland	Scottish Government	Keep Under Review
PR27	All audit arrangements, including regular dip-sampling, to be prioritised and co-ordinated to improve standards and service to the public	All partners	Completed 18.5.23
2	Criminal Allegations Against Police Division (CAAP-D) of COPFS to regularly repeat review of all the 'assault' and 'excessive force' categorised complaints received by Police Scotland in the month of March 2020	COPFS	Completed 24.6.21
42	PIRC to conduct annual audit of triage within PSD of public complaints against the police to matters are properly identified and routed, and to provide assurance that Article 3 and Article 5 cases are correctly identified and reported to COPFS	PIRC	Completed 13.12.22
61	Police Scotland and the PIRC to consider drawing on expertise of Audit Scotland and SPSO in re-designing the audit arrangements for police complaints	Police Scotland	Completed 13.12.22
PR5	Frontline resolution of complaints to be subject to close and regular monitoring through regular, internal and external audits, and monitoring of decision-making	Police Scotland	Completed 24.6.21

In progress* - Recommendations 72 and 76 will continue to be progressed by another policy area within Scottish Government and will have oversight from different governance structures going forward.

Recommendations requiring Legislation to Fully Implement

Theme 1: Rights and Ethics	
Recommendations	
1	Code of Ethics should be given a basis in statute
8	Clarify definition of “person serving with the police”
10	Statutory duty of candour
12	Statutory duty of cooperation
20	PIRC to be added to the list of prescribed persons in The Public Interest Disclosure (Prescribed Persons) Order 2014
74	Access to free legal representation for families in Article 2 cases
PR15	PIRC to have statutory power to compel officers to attend for interview
PR30	Clarify definition of “a member of the public who may make a relevant complaint”
Theme 2: Governance, Jurisdiction and Powers	
Recommendations	
13	Power to enable PIRC staff to access the Centurion database
34	PIRC to be re-designated as a Commission, with one Commissioner, two Deputy Commissioners and a statutory Board
35	PIRC to be accountable to Parliament for non-criminal matters
37	PIRC powers to call in an investigation of a complaint
38	PIRC powers to investigate practices or policies of Police Scotland
81	Cross jurisdictional investigatory powers
PR22	PIRC power to make recommendations and corresponding duty on the Chief Constable to comply
Theme 6: Conduct and Standards	
Recommendations	
22	Gross misconduct proceedings to continue even if /after officer leaves
23	For gross misconduct cases for all ranks, PIRC to consider continuation of disciplinary proceedings for former officers beyond 12 months
24	UK wide barred and advisory lists
25	Preliminary assessment to move from SPA to PIRC

Theme 6: Conduct and Standards cont	
27	Composition of Gross Misconduct Hearing panels, including independent legally qualified chair
28	Police Appeals Tribunal role in appeals to continue following transfer to SCTS
39	PIRC to handle key stages of senior officer misconduct proceedings
40	PIRC to have new statutory function to present cases in senior officer gross misconduct hearings
41	PIRC power to recommend suspension of senior officer
51	Faster misconduct hearings in certain circumstances
52	Gross misconduct proceedings to be held in public
53	Chair to consider protecting vulnerable witnesses including officer who is the subject of Gross misconduct proceedings
54	Scottish Ministers to have powers to consult on and issue guidance in respect of conduct, conferring duties to have regard to guidance, also introducing Reflective Practice Reviews
55	Statutory provision for Joint misconduct proceedings, including senior officers
56	Provision for misconduct allegations against probationers to be dealt with during probation period
57	Alternatives to suspension to be added to regulations
58	Outcome of gross misconduct proceedings to be made public
PR13	Scottish Government to consider the case for amending the legislation to include a provision to deal with vexatious complainers
PR19	Preliminary assessment to take factors into account, such as anonymity and potential vexatious basis

Note: The recommendations have been organised into the three themes used in the public consultation last year.



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Any enquiries regarding this publication should be sent to us at

The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

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