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Police Investigations &
Review Commissioner

PIRC Investigation Findings

Death Following Police Contact
Glasgow, April 2017

Report: Death Following Police Contact – April 2017

About 1606 hours on 13 April 2017, police officers were called to an incident in St Vincent Street, Glasgow, after a man assaulted two other men with an axe, then cut his own throat using two utility knives. The man later died as a result of these injuries

The deceased's relationship with his former partner had ended in December 2016 and it appears that he blamed members of her family for the breakdown of the relationship. Three days before his death, the deceased sent threatening text messages to various members of her family. They were so concerned by these that they reported the matter to Police Scotland, expecting that immediate action would be taken against the deceased.

Due to operational commitments and confusion over which police area should deal with the matter, Police Scotland did not detain, interview or warn the deceased regarding the text messages.

About 1600 hours on 13 April 2017, the brother in law of the deceased's former partner left his place of work in St Vincent Street, Glasgow. As he walked towards West Nile Street he saw the deceased running towards him carrying a black plastic bag and heard him shouting threats that he was going to kill him. The man attempted to run away but slipped and fell to the ground. The deceased then struck the man with an axe which had been concealed in the black plastic bag.

A Community Enforcement Officer (CEO) who was nearby ran to assist the man but the deceased on seeing the CEO, then struck him with the axe. During the assault on the CEO, the brother in law of the deceased's former partner was able to escape.

The deceased was then seen to remove two utility knives from his pocket and started to cut his own his throat. Numerous 999 calls were made to Police Scotland regarding the incident.

About 1605 hours, two police officers were sent to the incident, arriving about a minute later. They saw the deceased cutting at his own throat with two 'Stanley' type knives. Both officers deployed their PAVA spray aiming at the deceased's eyes, however the deceased pulled his hat down over his eyes, making it difficult for the officers to assess whether the Pava spray had had any effect on him. The deceased then moved towards the officers still holding the knives. The officers state that they grabbed the deceased and pulled him to the ground, causing him to drop the knives and then managed to restrain and handcuff him. The deceased continued to struggle with the officers before he was taken by ambulance to hospital where he succumbed to his injuries.

On 24 April 2017, a post mortem examination provided the cause of death as *'incised wounds of neck'*.

On 13 April 2017, the Police Investigations & Review Commissioner (PIRC) was instructed by the Lord Advocate, in terms of Section 33A (b) (ii) of the Police, Public Order and Criminal Justice (Scotland) Act 2006 (as amended) to investigate:

'the circumstances of this incident and contact between the deceased, his ex-partner and her relations and associates with Police Scotland which appear to be the precursor to the events which lead to the deceased's death'.

As part of their enquiries, PIRC investigators visited the scenes and obtained witness statements from police officers, police staff and civilian witnesses. They also examined: Command and Control (STORM) logs, telephone and Airwave recordings, Police Scotland Standard Operating Procedures, AFO Training Records, Firearms Action Plans, Duty Officer's Logs and the Standard Prosecution Report.

Findings of the PIRC investigation

- The deceased died at 1639 hours on Thursday 13 April 2017 from 'incised wounds of the neck', which were self-inflicted.
- Following the breakdown of his relationship, the deceased frequently expressed his frustration and anger about the breakdown to his former partner and members of her family. It appears that the deceased considered these family members had contributed to the breakdown of the relationship.
- The deceased's former partner and her family were fearful of the deceased. They considered him to be mentally unstable and prone to violence.
- On 9 April 2017, the deceased sent a text message to family members, referring to previous issues with them and indicated that he wanted those issues "sorted out".
- The following day, 10 April 2017, family members reported concerns for their safety to Police Scotland who concluded that the content of the text did not constitute a crime and advised them to have no contact with the deceased.
- Later that night, the deceased sent a threatening text message to a family member indicating that he considered that other family members were responsible for inflaming the situation. The content of the further text message was reported to Police Scotland by the family, who also referred to the previous report that they had made that morning.
- This call was graded as a priority 3 call which indicates that the "incident is not ongoing but police attendance is required – where the outcome could be prejudiced by significant delay".
- Thereafter, family members repeatedly contacted Police Scotland at 2242 hours, 2308 hours and 2326 hours to express concerns for their and other family members' safety before police officers were despatched to attend at 2332 hours
- The police officers who attended had little experience or understanding of dealing with offences under the Communications Act 2003 and were unsure if the content of the text messages constituted an offence. On their return to their police office the officers sought advice from their Sergeant, who instructed them to raise a crime report for a contravention of Section 127 of the Communications Act 2003.
- About 0225 on 11 April 2017, the officers contacted the Area Control Room (ACR) to advise that they intended to go to the deceased's address, which was located in another police division to detain the deceased. However, about 0421 hours, the Sergeant cancelled the officers from attending and updated the ACR to the effect that as the crime had been committed in the other division the investigation would be passed to that division for enquiry. No officers from the other division were allocated the crime for enquiry and action.

- About 1600 on 13 April 2017, the deceased assaulted the man (family member) on West Nile Street, Glasgow, striking him with an axe and also assaulted a Community Enforcement Officer who intervened, striking him with the axe.
- The deceased was then seen to cut his own throat using two utility knives.
- Police Scotland officers who attended the incident discharged PAVA spray and used handcuffs and leg restraints to bring the deceased under control. They summoned an ambulance and rendered first aid.
- On arrival of the ambulance, the deceased was taken to hospital where, despite the efforts of medical staff to save him, he died.
- Examination of text messages, witness accounts and letters recovered after the deceased's death, show that he clearly intended to attempt to murder the family member and then commit suicide.
- It cannot be determined whether, if Police Scotland had taken action to detain the deceased following the family's reports on 10 April 2017, that this would have dissuaded the deceased from his subsequent course of action.
- The officers who restrained the deceased were confronted with a violent man armed with knives intent on suicide. The officers dealt with the incident courageously, professionally and proportionately, bringing the man quickly under control in an attempt to save his life.

Recommendation

- It is recommended that the Chief Constable issue clear guidance to all Police Scotland officers regarding the ownership of criminal enquiries to ensure that crime reports are dealt with expeditiously, particularly where there is a danger that any failure to act may increase risk to the public.