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Police Investigations &
Review Commissioner

OPERATION A'AN
NOVEMBER 2018

PIRC Investigation Findings

Firearms Operation
Glasgow
15 April 2018

BACKGROUND

On the morning of Sunday 15 April 2018 a number of Police Scotland Authorised Firearms Officers (AFOs) were sent to carry out a firearms operation at a block of flats in the Glasgow area.

During the operation, AFO's pointed firearms at the occupants of one of the flats and four people were removed, including a man who was initially arrested.

The firearms operation began at 0932 hours when a woman contacted Police Scotland by calling 999, alleging that a man had threatened her with a handgun and pointed it at her head at the door of the flat.

During her initial telephone call to Police Scotland, the woman stated that she had been threatened with a gun which contained two bullets. This call was disconnected and when a police officer in the Area Control Room (ACR) called the woman back, she said she had had a disagreement with a man visiting her neighbour and he had pointed a handgun at her head, before referring to the 'gun' as a water pistol. She was asked if the item presented was a 'water pistol' and she stated that she did not know what it was, but that it had bullets in it. The woman then went on to describe the 'gun' as a black revolver containing silver bullets. She further added that the man had gone into her neighbour's flat.

Earlier that morning, police officers had attended and removed the woman from the flat after a report of a disturbance and warned her about her behaviour. At 0548 hours, the police received a report that the woman had returned to the flat and had assaulted a female occupant. Officers were again sent to the location and arrested the woman at 0639 hours on suspicion of assault. She was released shortly afterwards due to an insufficiency of evidence, at that time, to justify her continued arrest.

At 0937 hours, Police Scotland received a 999 call from the occupier of the flat reporting a further disturbance, involving the woman who had been arrested earlier. The ACR linked the incident to the firearms incident.

At 0940, in response to the report by the woman that a gun had been pointed at her, the Initial Tactical Firearms Commander (ITFC) declared a firearms incident and authorised the deployment of AFOs to the flat. He instructed officers to carry out an "*overt armed contain and call out*" by attempting to make contact with the occupants and to trace the man who allegedly had presented the gun at the woman. At that time the ITFC was not made aware of the earlier incidents at the flat or the 999 call at 0937 hours reporting the disturbance at the location .

It was established that although reference was made to a 'water pistol' in the woman's conversation with the police, and the ITFC was aware of this, he did not record this information in the Firearms Action Plan.

During the period that the firearms operation was taking place, the ITFC contacted the on call Strategic Firearms Commander (SFC), a Chief Superintendent, and sought ratification for the firearms deployment. The SFC agreed with the Inspector that the criteria for the deployment of armed officers had been met, that the operational tactics/contingencies and parameters proposed were appropriate and ratified the deployment of armed officers.

The ITFC however did not inform the SFC of the woman's reference to a 'water pistol' nor informed him of the earlier linked incidents. Consequently, the SFC was not presented with all the impacting information when ratifying the deployment.

It was later discovered that the report by the woman of being threatened with a firearm was suspected to be false and she was charged with this and other offences. The woman was later convicted of assault and vandalism offences. The man who had been arrested from the flat was released from police custody without charge.

REFERRAL TO THE PIRC

On 16 April 2018, Police Scotland referred the incident to the Police Investigations and Review Commissioner (PIRC) in terms of Section 33A(c) of the Police, Public Order and Criminal Justice (Scotland) Act 2006 as amended and the Police Investigations and Review Commissioner (Investigations Procedure, Serious Incidents and Specified Weapons) Regulations 2013 for consideration of investigation.

PIRC INVESTIGATION

The PIRC investigation focused on the police handling of the incident, the decision making processes relating to the deployment of firearms officers and the actions of the officers at the locus.

PIRC investigators obtained witness statements from police officers, police staff and civilian witnesses and they also examined Command and Control (STORM) logs, telephone and Airwave recordings, Police Scotland Standard Operating Procedures, Duty Officer's Logs, Strategic Firearms Commander Logs and the Standard Prosecution Report.

PIRC FINDINGS

Following investigation the Commissioner found that:

- The deployment of firearms officers was in response to a report from a woman, following her earlier arrest arising from interaction with the occupants of a flat at the location.
- Although, in the circumstances, the deployment of firearms officers was proportionate and justified Police Scotland officers failed to record all relevant information provided by the woman, specifically that she had briefly mentioned that the gun presented at her was a "water pistol".
- The Inspector should have recorded his rationale for dismissing the woman's comments about a "water pistol" in his Firearms Action Plan.
- The Inspector should have been made aware of the linked earlier incidents at the scene and of the 999 call from the occupant of the flat at 0937 hours in which she reported the woman causing a disturbance.
- In his briefings to the Tactical Firearms Advisor (TFA) and Strategic Firearms Commander (SFC) the Inspector should have informed them of the woman's mention of a 'water pistol' and his rationale for dismissing this comment. In addition, due to the failure to inform the Inspector of the earlier linked incidents, he was unable to fully brief and provide the TFA and SFC with all relevant information.

RECOMMENDATIONS

The Commissioner recommends to Police Scotland that:

- Systems are put in place to ensure that all relevant associated incidents and information are directly brought to the attention of Inspector (ITFCs) in order that they can be considered as part of their use of the National Decision Model (which provides a strategy for police to assist in making effective operational decisions) in relation to firearms incidents.
- Officers involved in the authorisation of firearms be reminded that all relevant information should be recorded in order to provide an auditable record of their reasons for deploying firearms officers. Equally the rationale for discounting any information when reaching such decisions should also be recorded.