

Investigation Report

Submitted to Police Scotland

Serious Injury in Police Custody
57-year-old man
Motherwell Police Station
1 November 2019

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BACKGROUND

In the early evening of Friday 1 November 2019, a 57-year-old man was arrested in Motherwell for being drunk and incapable. After being assessed at hospital as being fit to be detained in police custody he was taken to Motherwell Police Station.

Within the custody suite at Motherwell Police Station, the two arresting officers allowed themselves to be distracted by using their personal mobile phones and did not pay attention to the man. The man fell off a bench he was sitting on, striking his head on the bench and floor, causing a laceration above his left eye.

The man was taken back to hospital where he was treated for his injury, then returned to the police office. He was later released from custody and issued with a Recorded Police Warning.

REFERRAL TO THE PIRC

On 2 November 2019, 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. Under the act, the Commissioner may investigate serious incidents involving the police where a person has sustained a serious injury at a time when the person was being detained or kept in custody by a person serving with the police.

PIRC INVESTIGATION

The PIRC undertook an investigation into the incident to determine whether the actions or inactions of the police officers were a contributory factor in the man sustaining injury.

During the course of this investigation, PIRC investigators obtained statements from and interviewed relevant witnesses and police officers. They examined CCTV, command and control incident logs and force standard operating procedures.



FINDINGS

The investigation finds:

- The arresting officers should have paid greater attention to the man, who was obviously intoxicated and not allowed themselves to be distracted by use of their personal mobile phones. Had they done so, they may have prevented his injury.
- Following this incident, the local police Inspector took prompt action, providing advice and guidance to the officers and issuing general guidance to staff in his command area about the importance of prisoner care.

RECOMMENDATIONS

As Police Scotland has already dealt with this matter, no recommendations are made.

