

# Investigation Report

Submitted to Police Scotland

Death following police contact

Location: Harthill Services, Harthill, Shotts

Date: 29 March, 2020

11 September 2020



## BACKGROUND

During the early hours of 29 March 2020, police saw a 36-year-old man within a car parked dangerously on a dual carriageway in Edinburgh.

When the officers approached the car the man told them he was tired and had taken tablets for a headache which he had washed down with some alcohol. He added that he had left his home address in England and was moving to a relative's house in Fife.

After the officers carried out the necessary roadside checks, including a breath test, to establish if the man was fit to drive, they escorted him to a safe area in a carpark in Edinburgh. The man said he would rest in his car before travelling any further and the officers left.

About two hours later, police received a call advising that the man had died after the car he was driving collided with an articulated lorry at a service station in Harthill.

CCTV showed the car did not slow down as it left the motorway for the service station before hitting a kerb and colliding with the lorry.

## REFERRAL TO THE PIRC

On 29 March 2020, 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.

## PIRC INVESTIGATION

The PIRC investigation focused on the police handling of the incident and the decision making process relating to the roadside breath test procedure on 29 March 2020

PIRC Investigators obtained witness statements from the police officers and examined STORM Command and Control incident logs, Airwave communications, briefing papers, viewed public space CCTV and Standard Operating Procedures (SOPs).

## PIRC FINDINGS

The investigation finds:

- About 0220 hours on Sunday 29 March 2020, a 36-year-old man died when the car he was driving collided with a stationary lorry at Harthill Services on the M8 motorway, Harthill, Shotts.



- About 0005 hours that day, officers saw the man's car parked in a dangerous position, with no lights illuminated, on an unlit section of the A1 dual carriageway, Edinburgh.
- He told the officers he was tired and had taken tablets for a headache which he had washed down with alcohol. The officers conducted a roadside breath test which came back negative.
- The officers did not consider the man was further impaired by drugs and followed his car to a safe parking area, off the main road, where they provided him with advice on safe driving.
- It is not known why the man did not slow down or take action to avoid the colliding with the lorry.
- In the circumstances, the officer actions were appropriate and in accordance with police procedures.

## RECOMMENDATIONS

No recommendations were made.

