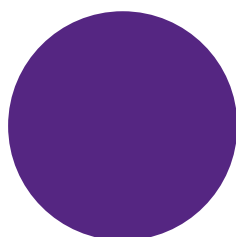
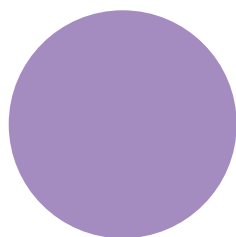
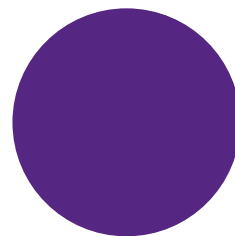
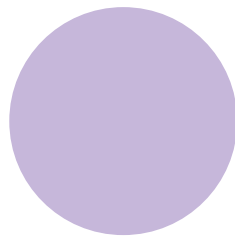
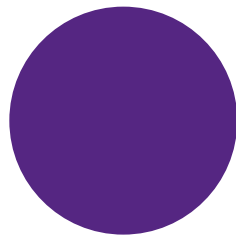
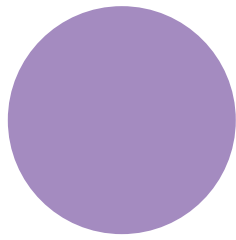


pirc

Police Investigations &
Review Commissioner



Business Plan 2020-21

Independent & Effective
Investigations & Reviews



Introduction

The PIRC's Business Plan for 2020-21 outlines how we plan to deliver our key priorities in year two of our 2019-22 Strategic Plan and provides a summary of our performance in the previous 12 months.



The organisation has a new Commissioner. Michelle Macleod, formerly Her Majesty's Chief Inspector for the Inspectorate of Prosecution in Scotland, commenced her five-year term in August 2019.

She has laid out four strategic priorities, supported by a number of key actions for 2020-21.

80% of all investigation reports are submitted to the referring body within 3 months of the start of the investigation;

90% of all referrals are assessed and an investigation decision taken within 5 working days of receipt of relevant information;

80% of Complaint Handling Reviews from receipt to conclusion completed within four months;

To demonstrate effective and efficient governance.

These priorities underpin our purpose to increase public confidence in policing through independent scrutiny of their actions and how they handle complaints by members of the public.

Looking ahead to the coming year, we had identified a number of challenges which may impact on our ability to deliver our strategic priorities and business.

However, as we prepared to publish our 2020-21 plan, the Coronavirus pandemic took hold. In common with other organisations, the resulting 'lockdown' required the PIRC to adapt its working practices and procedures and has hugely impacted on how we operate. We immediately implemented a series of measures to mitigate the impact of the "lockdown" and enable the core work to continue. At the time of publishing, all staff are working from home – to facilitate this we had to source additional laptops and ensure everyone was connected to our IT network.

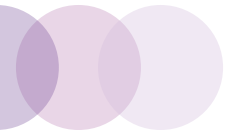
By and large remote working has worked well with teleconferencing and video meetings now standard practice and our investigators conducting interviews remotely to gather the necessary statements and evidence.

During this time, we have sought to minimise, where possible, our demands on policing to allow them to focus on the current public health crisis. As a result, we have also streamlined processes and extended time limits for compliance with requests for information, by both the Investigation and Review teams.

These measures have allowed us to progress business as usual in extremely different and difficult circumstances. The Commissioner would like to pay tribute to the hard work, adaptability and commitment of all our staff who have quickly adjusted to remote working often with the combined pressures of caring for others, home schooling and sourcing essential supplies.

We are currently revising our Business Continuity Plan to safely implement, when appropriate, a phased return to the office.





In addition to the current pandemic, we have identified a number of other significant challenges, which may impact on our ability to deliver our strategic priorities and day-to-day business. These include:

- The publication of Dame Elish Angiolini's final report on police complaints handling, investigations and misconduct issues in relation to policing in Scotland later this year. A number of recommendations are expected to be made about how our organisation operates which may have financial and resource implications.
- A public inquiry into the circumstances surrounding the death in custody of Sheku Bayoh, of which we are likely to be a core participant. Wide-ranging preparations are being undertaken to support our representation at the hearing.
- An ongoing upward trend in the number of referrals from the Crown Office and Procurator Fiscal Service (COPFS) and Police Scotland. This is a positive development reflecting greater awareness and confidence in the role and work of the PIRC.

The backdrop to the challenges highlighted is an increase in PIRC's workload. In 2018-19 we experienced a sharp rise in investigations, with the number of cases almost doubling to 67. This trend has continued, with the number of investigations in 2019-20 increasing to 76.

To cope with this sustained increase, we have achieved efficiencies by streamlining our quality assurance process and reducing the average time to conclude an investigation.

During 2019-20, we invested more resources in the Review Team, enabling them to undertake a 77% increase in the number of Complaint Handling Review (CHR) cases, while improving the time taken to complete these reports.

More staff and experience in the Review Team has enabled them to divert resources to tackle a historical backlog of CHR cases. Significant progress has been made in this area, with the number of pending applications down from 121 to 69 at year end.

The team has refocused its approach, placing more emphasis on learning for the police to drive improvements and less emphasis on procedural and administrative issues associated with complaint handling. As a result, for the past year a significant majority of CHRs concluded that the complaint was reasonably handled.



We are committed to learning and continuous improvement. To provide further reassurance and confidence in the handling of complaints by the police and the Scottish Police Authority (SPA), our aim is to carry out more regular audits, including thematic reviews, of specific areas such as the classification of complaints, front line resolution and how learning is being captured.

Throughout the year, we regularly review the demands placed on our organisation with Scottish Government Sponsor Team officials.

The authorised grant in aid for the PIRC for 2020-21 is £4,696,000. This represents a flat cash continuation of the level of funding for 2019-20 of £4,254,000, £120,000 towards the increase in employer contribution to pensions and a further £322,000 to meet the funding request set out in PIRC's business case submitted in October 2019. The additional funding will allow the organisation to meet its statutory functions against the background of an increasing workload and to reflect and implement some of the priorities identified in Dame Elish's preliminary report, *Independent Review of Complaints Handling, Investigations and Misconduct Issues in relation to Policing*.

While the budgetary increase is welcome, the unique circumstances that we are currently facing means that it is unlikely that we will be able to commence recruitment as early as we would wish. We have, however, incurred additional expenditure purchasing laptops and other services and equipment to adapt to the new working environment. We will maintain discussion with the government to ensure that we utilise this additional resource to provide best value and to support the public sector during the current public health crisis.

Robust governance processes ensure that we continue to maintain progress in achieving our priorities. Despite the substantial change in working patterns, performance and risks continue to be reviewed monthly by the Heads of Department Group (HoDG) and quarterly by the PIRC's Audit and Accountability Committee. The organisation is held accountable for financial matters by the Auditor General for Scotland.



Who is the Commissioner & what is her role?

The role of the Police Investigations & Review Commissioner (PIRC) was established in 2013 at the same time as the single Police Service of Scotland.

The Commissioner, who is appointed by Scottish Ministers, is independent of the police and delivers a free and impartial service. Her role is to independently investigate incidents involving the police and independently review the way the police handle complaints from the public.

The PIRC ensures that the SPA and the Chief Constable maintain a suitable system for handling complaints and issues statutory guidance where appropriate.

By delivering our four priorities, we aim to contribute towards the Scottish Government's national outcomes, primarily:

- We live in communities that are inclusive, empowered, resilient and safe;
- We respect, protect and fulfil human rights and live free from discrimination.

In turn, through our work, we will also directly contribute towards the government's Justice Vision, specifically the following outcomes:

- Our system and interventions are proportionate, fair and effective;
- We deliver person-centred, modern and affordable public services.



The Police Investigations & Review Commissioner can investigate:

Incidents involving the police, referred by the Crown Office and Procurator Fiscal Service (COPFS). These may include deaths in custody and allegations of criminality made about police officers.

Allegations of misconduct by senior police officers of the rank of Assistant Chief Constable (ACC) and above, if requested by the SPA.

Serious incidents involving the police, at the request of the Chief Constable or the Scottish Police Authority (SPA). Reasons for requests for investigations from the Chief Constable may include the serious injury of a person in police custody, the death or serious injury of a person following contact with the police or the use of firearms by police officers.

Relevant police matters which she considers would be in the public interest.

At the conclusion of an investigation, the Commissioner can recommend improvements to the way the police operate and deliver services to the public in Scotland.

The Police Investigations & Review Commissioner can review:

How the police in Scotland handle complaints made to them by the public.

The purpose of the Complaint Handling Review (CHR) process is to determine whether or not the complaint was handled to a reasonable standard by the police.

The PIRC cannot carry out CHRs into:
Complaints of criminality.

Complaints made by individuals currently serving, or who formerly served, with the police about the terms and conditions of their service.

At the conclusion of a CHR, the Commissioner can make recommendations, identify learning points, and direct the policing body to reconsider their response.





Strategic Priorities:

Investigations

80% of all investigation reports are submitted to the referring body within 3 months (of the start of the investigation).

90% of all referrals are assessed and an investigation decision taken within 5 working days of receipt of relevant information.

ACTIONS:

- Provide staff with relevant training and professional development to allow them to develop and effectively undertake their role.
- Invest in the PIRC trainee investigation programme to maximise the potential of the trainee investigators.
- Engage with policing bodies, and other criminal justice partners to deliver proportionate, fair and effective outcomes.
- Improve communication with stakeholders and communities, taking account of their concerns, and raising awareness of our work and its impact.





Reviews

80% of Complaint Handling Reviews from receipt to conclusion completed within four months

ACTIONS:

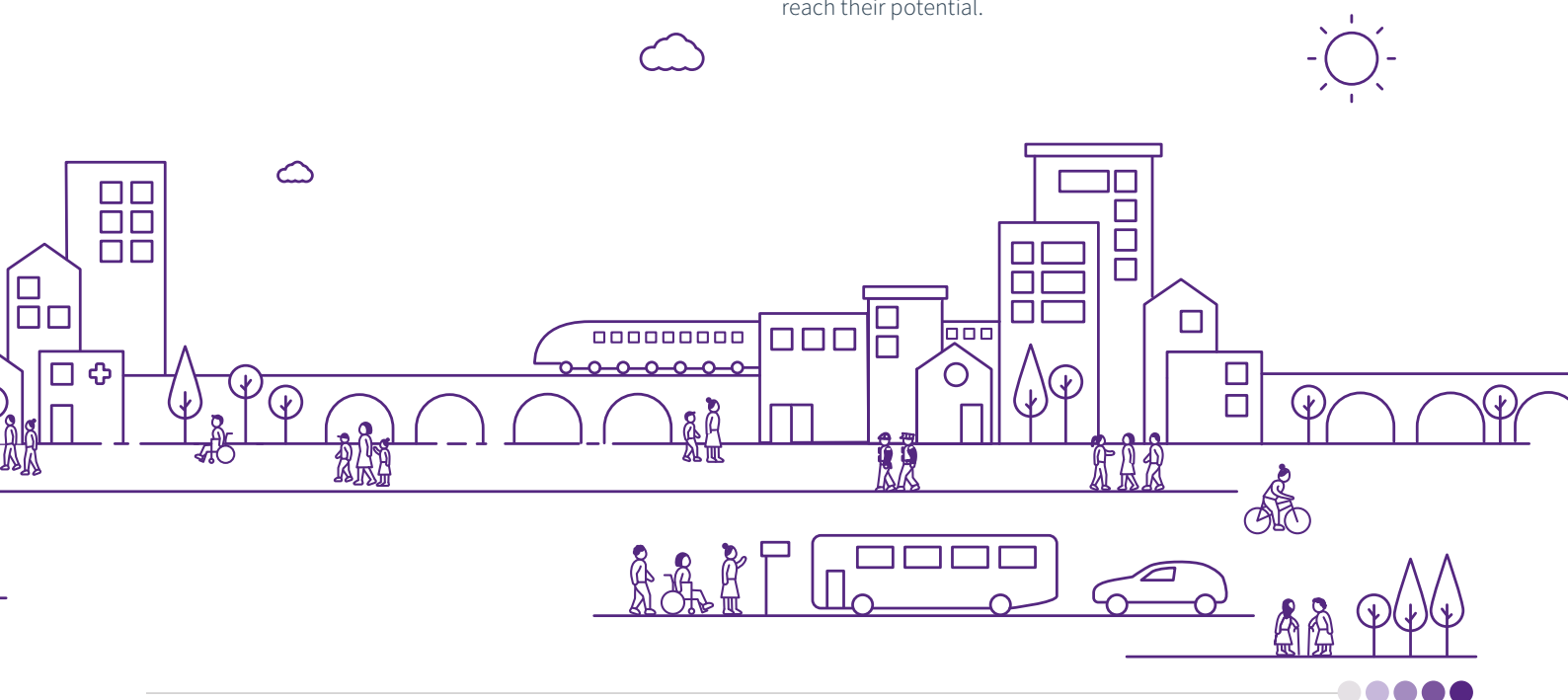
- Maintain effective case management throughout the CHR process and seek to reduce the time to conclude reviews.
- Monitor implementation of recommendations and compliance with reconsideration directions by policing bodies.
- Work closely with the Professional Standards Department of relevant policing bodies to promote continuous improvement in policing.
- Maintain and develop the skill set of the Review Team.
- Set standards, produce guidance and share best practice to improve consistency for complainants.

Corporate Services

To demonstrate effective and efficient governance

ACTIONS:

- To comply fully with requests for information under GDPR legislation and the Freedom of Information Act (Scotland).
- Monitor best value and promote efficiency savings across the PIRC.
- Publish regular media releases to highlight how Investigation and Review recommendations are improving policing and increasing public confidence.
- Publish Learning Point bulletins to policing bodies, identifying thematic issues and potential learning.
- Further develop our health and wellbeing strategy to support the welfare of staff.
- Invest in training and development to ensure our staff have the right skills and opportunities to reach their potential.





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