

STRATEGIC PLAN 2016-19

INDEPENDENT AND EFFECTIVE
INVESTIGATIONS AND REVIEWS.

pirc

Police Investigations &
Review Commissioner

“ I AM CONFIDENT THAT THESE STEPS, AIMED AT KEEPING PACE WITH THE CHANGING FACE OF JUSTICE IN SCOTLAND, ALONG WITH THE STRATEGIC OBJECTIVES CONTAINED IN THIS PLAN WILL DELIVER THE VISION TO SECURE AND INCREASE PUBLIC CONFIDENCE IN POLICING IN SCOTLAND.”

KATE FRAME

POLICE INVESTIGATIONS
& REVIEW COMMISSIONER

CONTENTS

2-3	FOREWORD
4	WHO IS THE COMMISSIONER AND WHAT DOES SHE DO?
5	OUR OBJECTIVES
6-7	STRATEGIC OBJECTIVE 1 INVESTIGATIONS
8-9	STRATEGIC OBJECTIVE 2 REVIEWS
10-11	STRATEGIC OBJECTIVE 3 CORPORATE SERVICES
12	MONITORING PROGRESS IN THE DELIVERY OF OUR STRATEGIC OBJECTIVES

FOREWORD

AS I PRESENT MY FIRST STRATEGIC PLAN AS THE POLICE INVESTIGATIONS & REVIEW COMMISSIONER (PIRC), IT IS IN THE KNOWLEDGE THAT THE ORGANISATION WHICH I LEAD IS NOW FIRMLY EMBEDDED WITHIN THE JUSTICE FRAMEWORK IN SCOTLAND AND THAT THERE IS AN INCREASED PUBLIC AWARENESS OF MY ROLE.



My predecessor recognised the difficulties in accurately forecasting the levels of demand in advance of the inception of the PIRC in 2013 and the last three years have provided an opportunity to draw on collated information to assess, analyse and plan our strategic direction for 2016-19.

This Strategic Plan details my objectives for the next three years. It drives my annual Business Plan, which in turn, sets out the organisation's key business objectives and its performance against them.

In setting the strategic objectives for 2016-19, my vision is to secure and increase public confidence in policing in Scotland by supporting continuous improvement, promoting positive change and thereby driving up standards in policing bodies operating in Scotland.

In seeking to deliver our strategic objectives, I will continue to work with key stakeholders to deliver results and value.

Over the next three years, I look forward to engaging in ongoing discussion on how police misconduct, corruption and complaints about the police generally are dealt with

and the level of independent investigation considered to be appropriate for these matters. Thereafter, the pace of any change will be influenced by policy development, public desire and the level of engagement by policing bodies operating in Scotland.

To ensure the organisation's capacity to adapt to an evolving portfolio of business and deliver its strategic objectives, it is important that the PIRC has the necessary structure and resources in place and that staff are fully equipped to meet the business challenges ahead. I will maintain dialogue with the Scottish Government regarding resourcing and I am committed to the ongoing professional and personal development of my staff through programmes of specialist training, to maximise their skills and capability. I will continue to recruit high calibre staff to ensure optimum effectiveness in all areas of our work and continue to support the trainee investigator programme to encourage a diverse workforce, which reflects the society it is required to serve. I am confident that these steps, aimed at keeping pace with the changing face of justice in Scotland, along with the strategic objectives contained in this Plan will deliver the vision to secure and increase public confidence in policing in Scotland.

Kate Frame
Commissioner

OUR PURPOSE ●

IS TO UNDERTAKE INDEPENDENT INVESTIGATIONS INTO INCIDENTS INVOLVING THE POLICE AND TO UNDERTAKE INDEPENDENT EXAMINATION OF THE WAY THE POLICE HANDLE COMPLAINTS

OUR VISION ●

IS TO SECURE AND INCREASE PUBLIC CONFIDENCE IN POLICING IN SCOTLAND BY SUPPORTING CONTINUOUS IMPROVEMENT, PROMOTING POSITIVE CHANGE AND THEREBY DRIVING UP STANDARDS IN POLICING BODIES OPERATING IN SCOTLAND

OUR REMIT ●

THE POLICE, PUBLIC ORDER & CRIMINAL JUSTICE (SCOTLAND) ACT 2006, AS AMENDED BY THE POLICE AND FIRE REFORM (SCOTLAND) ACT 2012, SETS OUT THE FUNCTIONS OF THE PIRC. FURTHER PROVISIONS ARE MADE IN THE POLICE INVESTIGATIONS & REVIEW COMMISSIONER (INVESTIGATIONS PROCEDURE, SERIOUS INCIDENTS AND SPECIFIED WEAPONS) REGULATIONS 2013 AND THE POLICE SERVICE OF SCOTLAND (SENIOR OFFICERS) (CONDUCT) REGULATIONS 2013.

WHO IS THE COMMISSIONER AND WHAT DOES SHE DO?

THE ROLE OF THE COMMISSIONER:

The post of Police Investigations & Review Commissioner (PIRC) is a ministerial appointment which was first established in April 2013.

THE COMMISSIONER HAS THREE DISTINCT RESPONSIBILITIES:

Firstly, she is responsible for investigating certain matters involving the police when directed to do so by the Lord Advocate. For example, deaths in custody, serious road collisions involving the police and offences committed by police officers. She may also investigate serious incidents involving the police at the request of the Chief Constable or the Scottish Police Authority. This may include deaths or serious injury following contact with the police and discharges of firearms by police officers.

Secondly, she can investigate allegations of misconduct by a senior police officer of the rank of ACC and above, if requested to do so by the Scottish Police Authority.

Thirdly, the Commissioner has responsibility for reviewing the way in which policing bodies operating in Scotland handle complaints made about them. She also ensures that arrangements for the handling of complaints made to these policing bodies are efficient and effective, suitably independent and are adhered to.

Following the conclusion of an investigation or review, the Commissioner will often make recommendations to police bodies as to how they may improve the manner in which they operate and deliver their services to the public in Scotland.

In summary, the legal framework allows the PIRC to –

Conduct investigations into:

- Allegations of a criminal nature about persons serving with the police
- Death or serious injury in police custody
- Death or serious injury following police contact
- Police use of firearms and other weapons as specified in regulations
- Complaints made against senior police officers

These investigations are undertaken under the direction of the Lord Advocate, at the request of the Chief Constable or the Scottish Police Authority or where the PIRC determines that an independent investigation is necessary. There is also provision for the Commissioner to investigate relevant police matters where she considers it would be in the public interest.

Conduct Reviews:

Of the handling of “relevant” complaints about the police. A complaint is defined as an expression of dissatisfaction about an act of omission by a police officer or a person serving with any of the policing bodies operating in Scotland. If someone has made a complaint and is dissatisfied with the manner in which the police handled the complaint, the Commissioner may undertake what is known as a complaint handling review (CHR). She may also carry out a review at the request of the police. The Commissioner cannot review complaints about the terms and conditions of persons serving with police or review complaints which include criminal allegations against persons serving with the police.

OUR OBJECTIVES

- 1) TO UNDERTAKE INDEPENDENT, THOROUGH AND TIMELY INVESTIGATIONS INTO INCIDENTS INVOLVING THE POLICE, WITH THE AIM OF IMPROVING THEIR PROCEDURES AND INCREASING PUBLIC CONFIDENCE IN POLICING IN SCOTLAND.
- 2) TO UNDERTAKE INDEPENDENT EXAMINATION OF THE WAY THE POLICE HANDLE COMPLAINTS, WITH THE AIM OF INCREASING PUBLIC CONFIDENCE IN POLICING IN SCOTLAND BY MAKING RECOMMENDATIONS AND ENSURING THAT POLICING BODIES HAVE SUITABLE COMPLAINTS PROCEDURES.
- 3) TO DEMONSTRATE A HIGH LEVEL OF GOVERNANCE AND BUSINESS EFFECTIVENESS IN ACCORDANCE WITH BEST PRACTICE FOR SCOTTISH PUBLIC SECTOR BODIES.

IN DELIVERING OUR OBJECTIVES WE WILL DEMONSTRATE OUR VALUES OF:

- **Integrity:** We will be trustworthy, honest, open and accountable for our actions.
- **Impartiality:** We will act fairly and independently, ensuring that our work is objective and reflects a rigorous analysis of the evidence. Our actions and decisions will be based on professional judgement and free from bias and discrimination.
- **Respect:** We will treat everyone with courtesy and dignity, openly demonstrating respect for diversity and equality, irrespective of an individual's background, beliefs, values, culture and needs.

THE STRATEGY FOR JUSTICE IN SCOTLAND:

The Police Investigations & Review Commissioner (PIRC) contributes to the delivery of the Scottish Government's Strategy for Justice in Scotland which seeks to achieve a justice system "that contributes positively to an inclusive and respectful society, in which all people and communities live in safety and security, individual and collective rights are supported, and disputes are resolved fairly and swiftly."

The PIRC will continue to contribute towards the following Justice Outcomes flowing from the Strategy for Justice.

- Investigations and complaints are carried out with transparency and independence
- We have high levels of confidence in justice institutions and processes
- Our institutions and processes are effective and efficient
- Our public services respect the rights and voice of users
- Our public services are fair and accessible
- Our performance monitoring will be open to public scrutiny
- We will make information available and accessible where legislation permits.

THE PIRC WILL DO THIS BY:

- Undertaking independent, thorough and timely investigations
- Undertaking independent examination of the way the police handle complaints, making recommendations and ensuring the police have suitable complaints procedures
- Applying a high level of governance and business effectiveness
- Publishing performance in our Annual Report
- Providing information about our work, where permitted to do so.

STRATEGIC OBJECTIVE 1

INVESTIGATIONS

TO UNDERTAKE INDEPENDENT, THOROUGH AND TIMELY INVESTIGATIONS INTO INCIDENTS INVOLVING THE POLICE, WITH THE AIM OF IMPROVING THEIR PROCEDURES AND INCREASING PUBLIC CONFIDENCE IN POLICING IN SCOTLAND.

LOOKING AHEAD

The nature and complexity of investigations conducted by the PIRC has changed significantly over the last three years and particularly in 2015-16, there was a marked increase in the number and gravity of independent investigations undertaken at the direction of the Lord Advocate.

During this period, public awareness of the PIRC similarly rose through interest in several high profile investigations.

In recognition of the growth and complexity of the investigations undertaken by the PIRC, the Scottish Government has provided additional resource which will be applied to enhance the Investigations Team through the addition of further trainee and specialist investigators. This will strengthen the experienced team of investigators which the PIRC already has in place and enhance the PIRC's resilience to meet current and future demands.

The Commissioner is committed to ensuring that she has a staff group with a wide range of specialised skills to professionally deal with the business referred. She will continue to invest in training to ensure that investigators refresh and maintain their technical and operational skills whilst also developing new skills as required. The introduction of a new training and development plan will ensure that this investment is focussed and effective.

The Commissioner is also fully committed to the PIRC's trainee investigator programme, which recruits and trains staff with no investigatory experience. This programme has been in operation since 2013 and on successful completion of the two year programme, trainees have graduated to join the team as investigators.

The organisation has recently invested in improving facilities to support the Investigations Team to carry out complex investigations through the purchase of specialist equipment, the creation of a bespoke CCTV viewing suite and a large incident room.

The PIRC will continue to monitor developments in business demands to ensure that the right resources are identified to meet requirements.

The PIRC is now recognised as an essential independent component of the justice framework in Scotland and will continue to work with key stakeholders to promote best practice identified during investigations and in turn support policing bodies operating in Scotland to improve service delivery and thereby increase public confidence in policing.

STRATEGIC OBJECTIVE 1 WILL BE ACHIEVED BY:

- Undertaking thorough and impartial investigations in a timely manner into incidents involving police bodies operating in Scotland
- Issuing recommendations, where appropriate, to policing bodies in order to support improved service delivery, thereby increasing public confidence in policing in Scotland
- Publishing investigation findings and recommendations, where legislation permits, on the PIRC website and in the media
- Ensuring that the Investigations Team is adequately skilled through a process of continuous professional development and training
- Maintaining the PIRC's trainee investigators programme, to recruit and develop new staff with no previous investigatory experience
- Engaging positively with stakeholders, policing bodies and other relevant agencies operating in Scotland
- Examining the powers available to the Commissioner in respect of investigations and, where appropriate, seek legislative change.

STRATEGIC OBJECTIVE 2

REVIEWS

TO UNDERTAKE INDEPENDENT EXAMINATION OF THE WAY THE POLICE HANDLE COMPLAINTS, WITH THE AIM OF INCREASING PUBLIC CONFIDENCE IN POLICING IN SCOTLAND BY MAKING RECOMMENDATIONS AND ENSURING THE POLICE HAVE SUITABLE COMPLAINTS PROCEDURES.

LOOKING AHEAD

The Commissioner is committed to continually improving the efficiency and effectiveness of the arrangements for the handling of complaints about the police. Steps have been taken in recent years which have succeeded in significantly reducing the time taken to process complaint handling reviews (CHRs) and deliver a more efficient response to applicants. The Review Team is now finalising more than 90% of CHRs within three months.¹

Following consultation with the PIRC, Police Scotland has introduced a new system for recording complaints. This has not only enhanced Police Scotland's complaint system but assisted the PIRC in quickly identifying the pertinent issues before cases are allocated for review.

The recommendations from a process review in 2015-16, designed to further increase the focus on expediting complaint handling reviews, are now being implemented with the creation of two distinct teams – one dedicated to initial case processing and fast tracking cases, and the other focussed on progressing serious/complex cases.

The streamlining of the complaint handling review process will enable recommendations and directions to be issued to and implemented more expeditiously by policing bodies and thereby increase public confidence in policing.

To demonstrate transparency, the PIRC will, where appropriate, publish CHR reports and responses provided by policing bodies of the recommendations made on the PIRC website and these will be highlighted to the media.

The PIRC will proactively increase engagement with Police Scotland and other policing bodies operating in Scotland to achieve the shared objective of improved complaint handling and continuous learning.

STRATEGIC OBJECTIVE 2 WILL BE ACHIEVED BY:

- Undertaking thorough complaint handling reviews and promoting best practice to policing bodies operating in Scotland, through recommendations and reconsideration directions
- Monitoring the implementation of these recommendations and directions by policing bodies
- Engaging with policing bodies through meetings, presentations and workshops to achieve improvement in their handling of complaints about the police
- Undertaking effective audits of the police complaint handling process to ensure continual improvements to the system
- Issuing regular bulletins to policing bodies operating in Scotland, summarising issues and themes identified in complaint handling reviews, to improve their police complaint handling
- Publishing decisions, where appropriate, and information on police implementation of recommendations on the PIRC website, to increase transparency and drive up policing standards
- Reviewing feedback from stakeholders to introduce improvements where necessary
- Examining the powers available to the Commissioner in respect of complaint handling reviews and, where appropriate, seek legislative change.

¹ After subtracting any delays experienced by the PIRC in obtaining the required paperwork from the police body concerned.

STRATEGIC OBJECTIVE 3

CORPORATE SERVICES ●

TO DEMONSTRATE A HIGH LEVEL OF GOVERNANCE AND BUSINESS EFFECTIVENESS IN ACCORDANCE WITH BEST PRACTICE FOR SCOTTISH PUBLIC SECTOR BODIES.

LOOKING AHEAD

It is important that the PIRC has a structure and the necessary resource in place, which supports the achievement of the strategic objectives. Following a structural review of the organisation which was conducted in 2015-16, steps are being taken to ensure that the PIRC continues to maximise its effectiveness by having the “right people, with the right skills, in the right jobs”. The “PIRC People Plan” has identified the need to link the organisation’s succession planning, training and development strategy and performance appraisal system together, to provide a consistent and coherent approach to future skills development within the PIRC. As well as the necessary professional skills development, the PIRC will embark on a comprehensive management development programme commencing in June 2016.

The governance of the organisation requires to be effective and efficient to ensure delivery of the PIRC’s core functions of undertaking independent investigations into incidents involving the police and independent reviews of the way the police handle complaints. The Corporate Services Team supports the Investigations and Review Teams in delivering these functions and meeting their strategic objectives.

The PIRC management team, chaired by the Commissioner, monitors performance objectives and agrees on the strategic direction of the organisation.

Independent oversight is provided by the PIRC’s Audit and Accountability Committee, which scrutinises the PIRC’s finances, risk management and governance. The Committee approves the appointment of the PIRC’s internal auditors and reviews the annual accounts and internal audit reports. The auditors recently confirmed that the PIRC has progressively demonstrated improvement in overall governance, year on year, since its inception in 2013.

The Commissioner recognises the PIRC’s accountability to Scottish Ministers and meets with the Scottish Government’s Sponsor Team on a regular basis.

Public and stakeholder accessibility will be enhanced through the introduction of an improved interactive website.

STRATEGIC OBJECTIVE 3 WILL BE ACHIEVED BY:

- Demonstrating sound governance of the PIRC’s financial resources through transparent and independent audit and compliance with the Scottish Public Finance Manual and the PIRC Finance Manual
- Continuing to work with other organisations to identify appropriate shared service opportunities
- Using the Civil Service learning facility to access new training programmes to enhance the development and skills of staff
- Using the staff appraisal system to ensure all staff contribute towards the achievement of the PIRC’s objectives
- Increasing transparency by publishing, where appropriate, how our recommendations in complaint handling review cases are implemented by policing bodies
- Ensuring that the PIRC’s policies are fit for purpose as the organisation evolves
- Developing and maintaining the “PIRC People Plan”
- Maintaining a pragmatic approach to fiscal management, to ensure maximum capability in all areas of business, providing the necessary flexibility where required
- Reviewing our governance arrangements to introduce appropriate scrutiny where required
- Demonstrating value for money by continuing to make efficiency savings of at least 1% or whatever targets may be set by the Scottish Government in the future.

MONITORING PROGRESS IN THE DELIVERY OF OUR STRATEGIC OBJECTIVES

Each of the three PIRC teams – Investigations, Reviews and Corporate Services – has developed delivery plans to monitor progress in the delivery of the Strategic Objectives for 2016-19. These are summarised in our annual Business Plan through our Key Performance Indicators (KPIs), which are continually reviewed.

The Commissioner and Management Team will monitor the delivery of these KPIs monthly, whilst also reviewing the strategic direction for the PIRC.

Regular communication and engagement with staff will continue to ensure performance of personal objectives, which in turn link to the PIRC's overall objectives.

The Management Team also review the Risk Register monthly to address potential risk to the organisation.

Furthermore, the PIRC's Audit and Accountability Committee meets quarterly to provide independent oversight of the PIRC finances, risk management and corporate governance. The Committee approves the appointment of the PIRC's internal auditors and reviews the annual accounts and internal audit reports.

Each autumn, the Commissioner will publish her Annual Report and Accounts, which are laid before the Scottish Parliament.

“ I WILL CONTINUE TO RECRUIT HIGH CALIBRE STAFF TO ENSURE OPTIMUM EFFECTIVENESS IN ALL AREAS OF OUR WORK AND CONTINUE TO SUPPORT THE TRAINEE INVESTIGATOR PROGRAMME TO ENCOURAGE A DIVERSE WORKFORCE, WHICH REFLECTS THE SOCIETY IT IS REQUIRED TO SERVE.”

KATE FRAME

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