

## POLICE SCOTLAND SHEKU BAYOH GOLD GROUP

**TIME / DATE:** 1400hrs 18<sup>th</sup> September 2018

**LOCATION:** [REDACTED], SPC

**CHAIR:** DCC Fiona Taylor

<b>ATTENDANCE</b>	
Fiona Taylor (Chair)	DCC Professionalism
Derek McEwan	Chief Superintendent- Divisional Commander P Division
Sharon McCutcheon	Chief Inspector – Professional Standards
[REDACTED] (dial in)	Legal Services
Seán Fitzgerald	Inspector – Executive Support -External Liaison
[REDACTED]	Corporate Communications
Shaheen Baber	Chief Inspector – National Safer Communities
David Kennedy (dial in)	SPF
<b>APOLOGIES</b>	
[REDACTED]	ACC Local Policing East
[REDACTED]	Chief Superintendent- Professional Standards ( CI Sharon McCutcheon to rep)
[REDACTED]	Superintendent – Executive Support - External Liaison (Insp Seán Fitzgerald to rep)



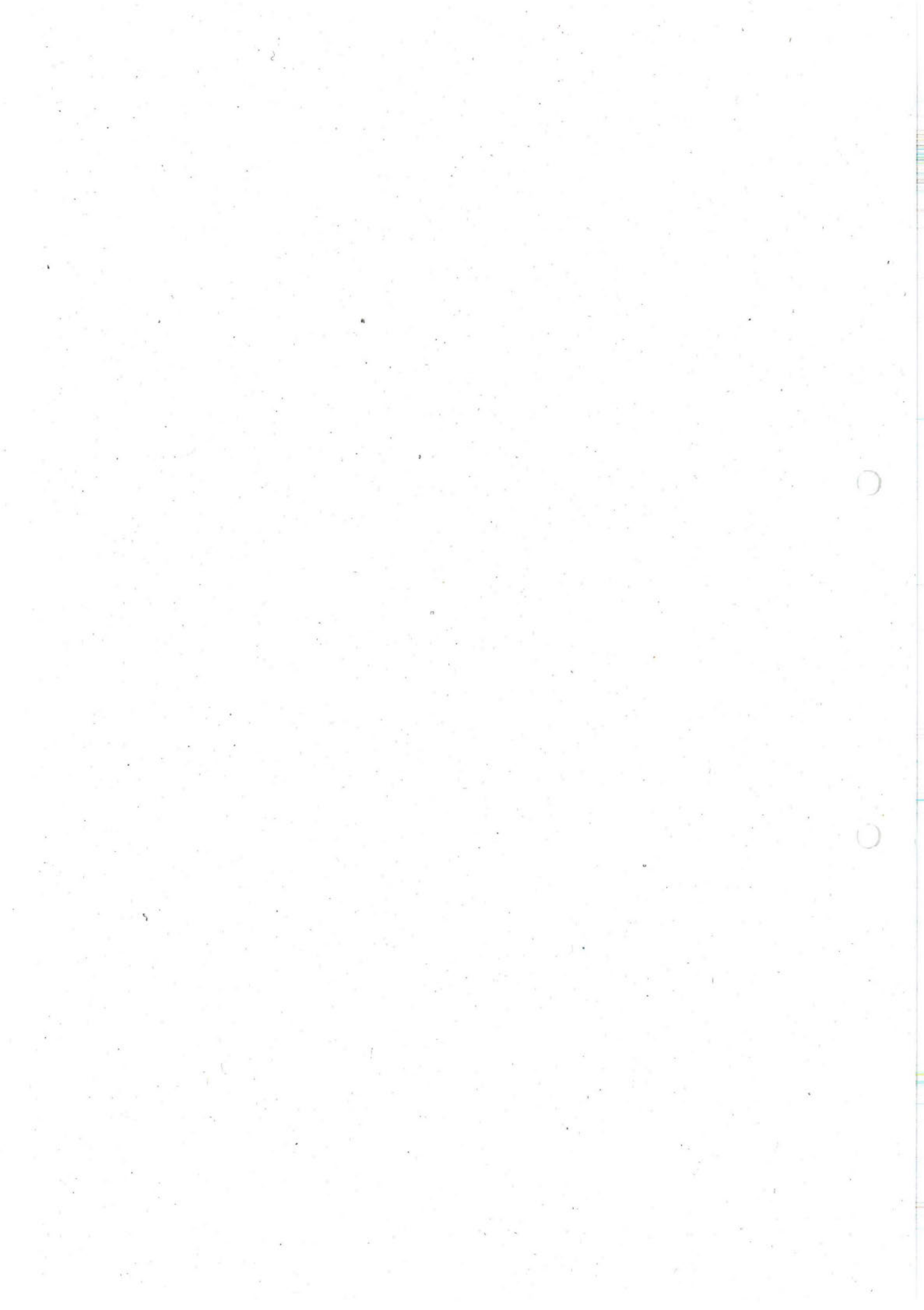
## RESTRICTED - INVESTIGATIONS

### PROPOSED TERMS OF REFERENCE

- Ensure the Police Service of Scotland provides an effective and professional response to all aspects of this enquiry and to any associated events or campaigns held as a consequence of the death and investigation.
- Engage with and support the PIRC enquiry, including family support as required.
- Provide reassurance to the community and public acknowledging the impact of this incident.
- Maintain appropriate levels of support to all staff throughout the PIRC enquiry and beyond.
- Develop and implement a strategic internal and external communications strategy including engagement with strategic partners.
- Identify priorities for improvement to ensure any organisational learning.

Through these actions maintain confidence in Police Scotland

Author:	ACC Wayne Mawson	Organisation:	Police Scotland
Date	03/05/2018	Telephone:	[REDACTED]



**RESTRICTED**

KIRKCALDY INCIDENT - DEATH OF SHEKU BAYOH					Pending
CHAIR: DCC FIONA TAYLOR					Ongoing
<b>GOLD GROUP - ACTION LOG - LIVE ACTIONS</b>					Recently complete
Ref No	Date	Action	Owner	UPDATE	RAG Status
007/17	07/03/2017	Ch Supt [REDACTED] to progress setting up an Independent Advisory Group (IAG) in P Division and is to map out what groups already exist	Ch Supt Derek McEwan	10/04/17 Independent Advisory Group tasking given to T/DSU [REDACTED] for development in line with National Safer Communities terms of reference. 11/07/17 - T/DSU [REDACTED] now has responsibility for this and will take this forward.	Ongoing



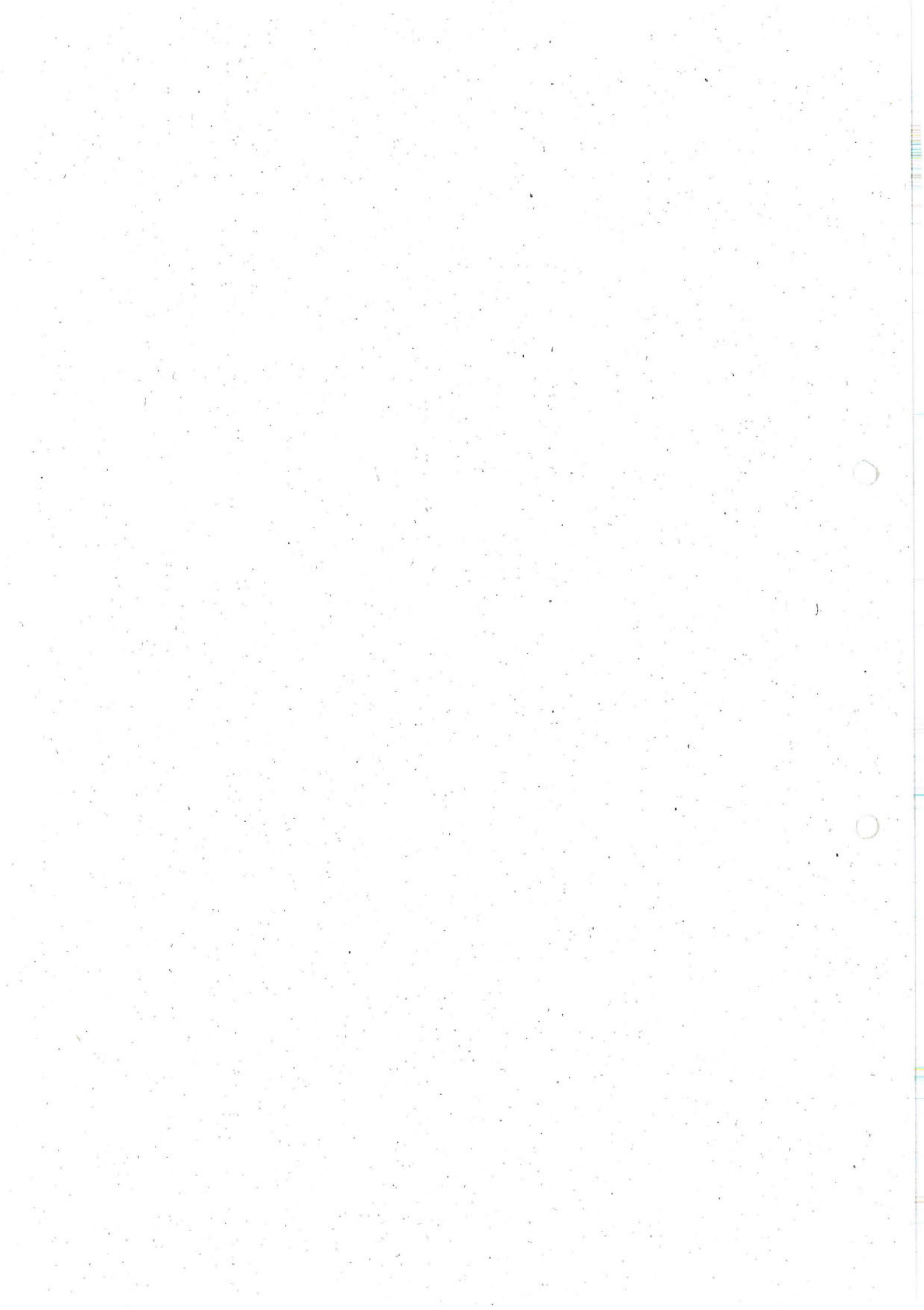
**POLICE SCOTLAND SHEKU BAYOH GOLD GROUP**

**TIME / DATE:** 0900-1000, 29 March 2019

**LOCATION:** [REDACTED] SPC

**CHAIR:** DCC Fiona Taylor

<b>ATTENDANCE</b>	
DCC Fiona Taylor	Chair
ACC [REDACTED] ( arrive at 9.15)	Local Policing East
CS Derek McEwan	Divisional Commander – Fife Division
DCI [REDACTED]	CID – Fife Division
[REDACTED]	Legal
David Kennedy	SPF
Amanda Givan	SPF
CI Sharon McCutcheon	Professional Standards
CS [REDACTED]	ASPS
Sgt [REDACTED]	Safer Communities
Supt [REDACTED]	SECU- Strategic Engagement and Co-ordination Unit
[REDACTED]	Corporate Communications
<b>APOLOGIES</b>	
Lisa McGrann	[REDACTED] to represent
CI [REDACTED]	Sgt [REDACTED] to represent







# POLICE SCOTLAND

Keeping people safe




Gold Group Meeting  
[REDACTED], Tulliallan  
0900 hrs hours  
Date: 29<sup>th</sup> March 2019

CHAIR: DCC Fiona Taylor


Police Scotland Sheku Bayoh Gold Group

Dial In: [REDACTED]  
Conference Code: [REDACTED]  
Leader Pin: [REDACTED]

## AGENDA

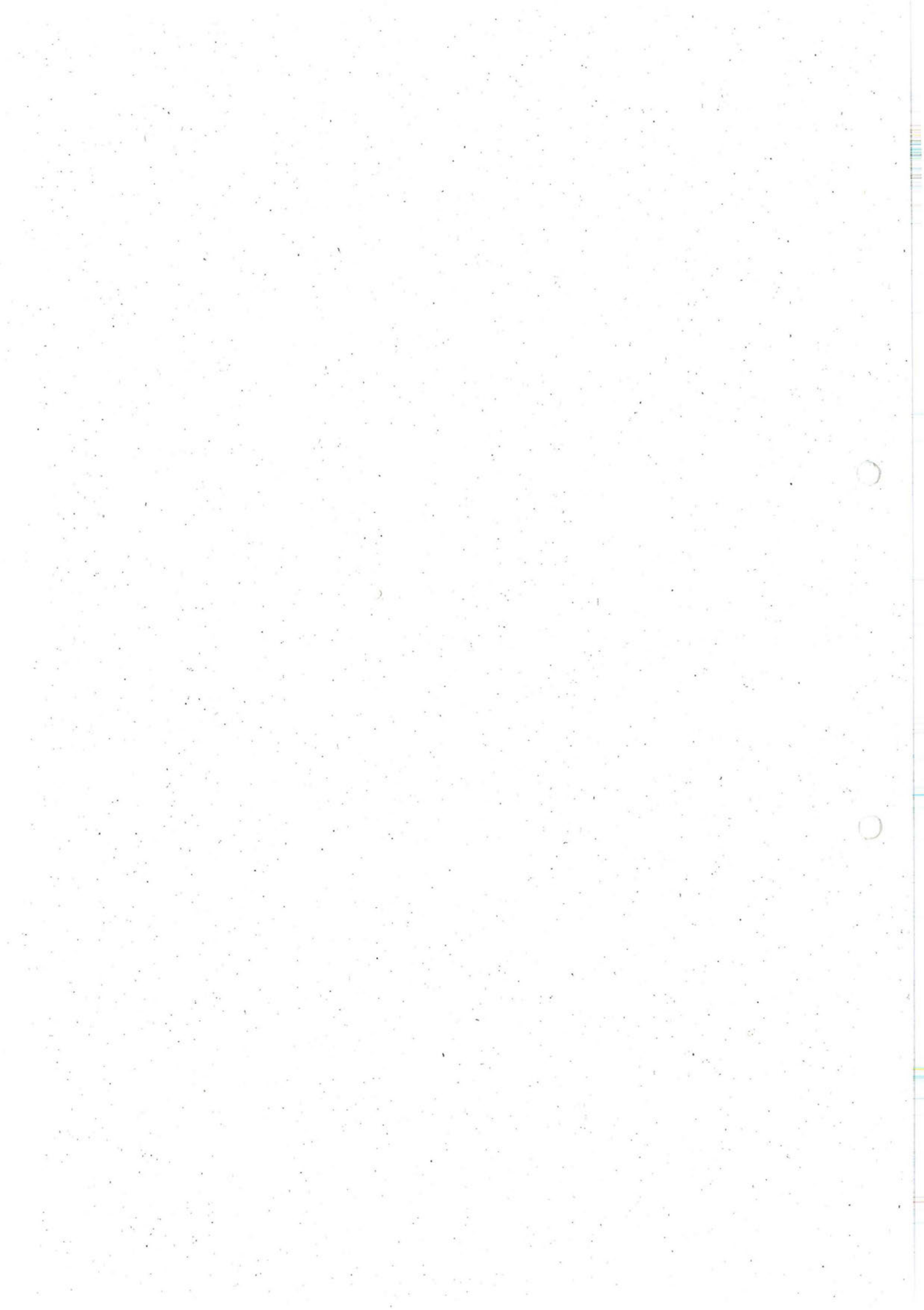
No.	AGENDA ITEM	LEAD
1	Welcome	DCC Fiona Taylor
2	Apologies  190329-Attendees.d ocx	Secretariat
3	Action/Decision Log  190218 Sheku Bayoh - Action Log.x	Secretariat
4	Gold Strategy  SB - Gold Strategy.doc	DCC Fiona Taylor
5	Legal Services Update	[REDACTED] (dial in)
6	Professional Standards	CI Sharon McCutcheon

**OFFICIAL- POLICE ONLY**

7	Community Impact	CS Derek McEwan(local) Sgt [REDACTED] (national)
8	Staff Welfare	CS Derek McEwan Amanda Given / David Kennedy
9	Information Management	CI Sharon McCutcheon
10	Internal/External Comms  Sheku Bayoh Comms Plan (01.10.1)	[REDACTED]
11	Internal / External Liaison	CS [REDACTED] / Supt [REDACTED]
12	Policy Decisions	DCC Fiona Taylor
13	Review of Actions	Secretariat
14	AOCB	DCC Fiona Taylor
15	Date of next meeting	TBC

OFFICIAL SENSITIVE: POLICE ONLY

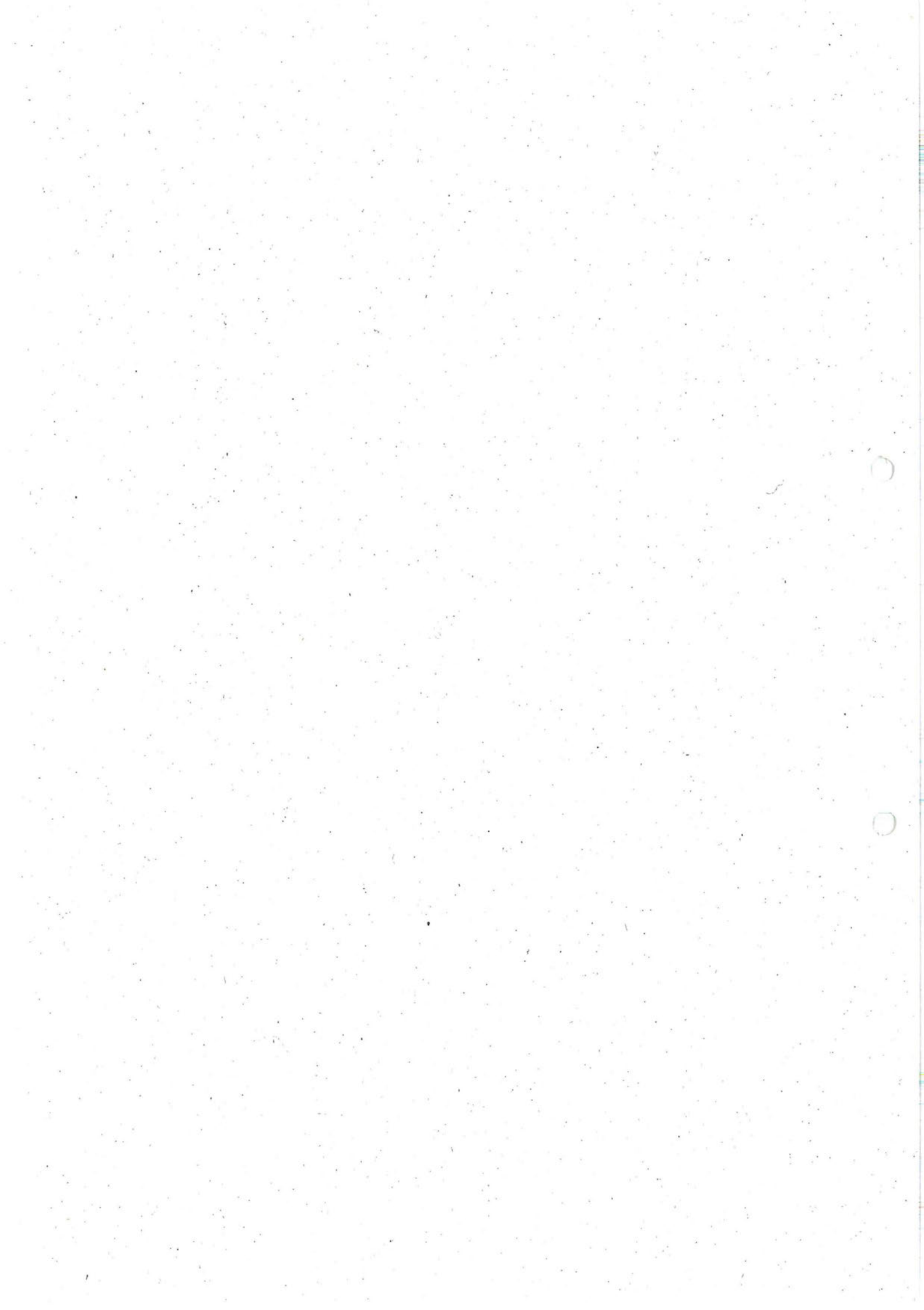
KIRKCALDY INCIDENT - DEATH OF SHEKU BAYOH					Pending
CHAIR: DCC FIONA TAYLOR					Ongoing
GOLD GROUP - ACTION LOG - LIVE ACTIONS					Recently complete
Ref No	Date	Action	Owner	UPDATE	RAG Status
001/19	18-Feb-19	DCI [REDACTED] to progress investigation regarding the release of documentation to the BCC in liaison with Legal Services and PSD.	DCI [REDACTED] / CSU Derek McEwan	<p>26/03/19: Supt Blackhall at PSD has confirmed a variety of different aspects influence whether Police Scotland investigate a matter relating to an on duty police officer that includes allegations of DPA. The Lord Advocates Guidelines regarding Complaints about the Police, Regulation 9 of the Police Service of Scotland (Conduct) Regulations 2014 and indeed the 2012 Reform Act, all provide guidance / direction in relation to allegations which amount to criminality. Police Scotland are obliged to report such matters to CAAPD at COPFS, and do not 'record' a crime as such and simply report by way of an agreed template or subject report. This is to ensure we fulfil their expectations of reporting allegations for their consideration.</p> <p>It is worth noting that an allegation of DPA against an officer, would result in conducting IT audits etc. - if there was no evidence of checks / disclosure, this would not be reported to CAPPD unless there was other evidence so that that end is consistent with the advice provided by the Crime Registrar, Legal Services and Information Management in that it is 'evidence led'. Allegations against on duty officers have to be treated differently as directed by COPFS, but ironically for DPA are not that different.</p>	Pending
002/09	18 Feb 19	DCI [REDACTED] to engage with Information Management and explore ICO liaison and referral processes.	DCI [REDACTED] / CSU McEwan	[REDACTED]	Complete
003/19	18 Feb 19	Confirm if PSD had prior notification of PIRC visits to P Div Police buildings.	Sup [REDACTED]	26/03/19: PIRC made the approach to access Kirkcaldy office through Chief Inspector [REDACTED] at PSD at Fettes in the first instance. CI [REDACTED] in turn linked in with P division management.	Complete
004/19	18 Feb 19	Engage with PIRC to ensure that future requests to access Police buildings or undertake overt enquiry that may impact officers involved, are highlighted in advance to PSD.	Supt [REDACTED]	26/03/19: PIRC have been reminded that they should continue to approach PSD in the first instance as opposed to making direct contact with the division regarding this case.	Complete



**GOLD STRATEGY**

- **Ensure the Police Service of Scotland provides an effective and professional response to all aspects of this enquiry and to any associated events or campaigns held as a consequence of the death and investigation.**
- **Engage with and support the PIRC enquiry.**
- **Provide reassurance to the community and public acknowledging the impact of this incident.**
- **Maintain appropriate levels of support to all staff throughout the PIRC enquiry and beyond.**
- **Develop and implement a strategic internal and external communications strategy including engagement with strategic partners.**
- **Identify priorities for improvement to ensure any organisational learning.**

**Through these actions maintain confidence in Police Scotland**





**POLICE  
SCOTLAND**

<b>FOR COMMENT</b>			
Disclosable under FOISA 2002		No	
Author	<b>Lucy Adamson</b>	Department / Unit	Corporate Communications
Date Created	<b>16 Nov 2015</b> <b>Updated 1 October 2018</b>	Telephone	n/a

### **Critical Incident Communications Strategy – The death of Sheku Bayoh (Kirkcaldy)**

#### **1. Purpose**

To outline an integrated communications strategy that supports the objectives of the Gold group established to oversee the Police Scotland response to the ongoing investigation into the death of Sheku Bayoh, who died following police contact in Kirkcaldy, Fife, on Sunday 3 May, 2015.

#### **2. Aim**

The terms of reference for the Gold group aim to maintain confidence in Police Scotland. Specific terms include:

- Develop and implement a strategic internal and external communications strategy
- Identify priorities for improvement to ensure any organisational learning

This strategy aims to support the policing response to the inquiry into the death of Sheku Bayoh with a consistent set of messages and communications that supports internal and external confidence in the service.

#### **3. Objectives**

- Work with PIRC and COPFS to ensure the timely provision of external information as appropriate

- Engage with partners including the Scottish Police Authority (SPA), Scottish Government and others as appropriate to ensure provision of timely information
- Provide internal communications to support officers and staff with regular updates and tailored messaging as relevant, with particular regard to the affected local policing teams and individual officers
- Provide messaging to officers and staff to equip them to confidently update partners or the public if they are asked about any aspect of the response through SMT briefing area
- Ensure family and significant witnesses are kept informed in a timely and appropriate manner
- Ensure social media updated with timely information at local and where relevant, at national level
- To be aware of relevant events (local and/or national) that may impact on perceptions regarding the incident

#### **4. Key audiences and Stakeholders**

The limited communication immediately following the incident led to a gap in information and over following weeks and months, substantial speculation and reporting from various unnamed sources and also subsequent criticism from the deceased family's lawyer.

Events have resulted in a significant level of external scrutiny and interest and it is a priority to manage public and stakeholder interest in this incident in the context of that environment.

Key stakeholders include:

Police Scotland officers and staff  
Senior leaders within Police Scotland  
Scottish Police Federation  
Association of Scottish Police Superintendents  
Diversity staff associations  
Members of the public  
PIRC  
COPFS  
Scottish Cabinet  
Scottish Government  
Elected representatives, MSPs and MPs  
Fife Council and locally elected representatives  
SPA  
Scottish Police Authority  
Local community groups incl Frae Fife  
Media

Contact with the family of the deceased and the families and officers affected is also important.



Regular reviews and local community impact assessment will ensure this impact is regularly monitored.

## **5. Key messages/narrative**

Key messages around this incident were restricted to expressing condolences to the family and friends of the deceased and referring to the ongoing PIRC investigation. Messages have been and will be developed as events dictate, specifically the anniversary of the death, PIRC passing report to COPFS, and the FAI and any other legal proceedings civil or criminal.

These messages will seek to reassure that we are supporting all who need this and are fully committed to the procedures involved in establishing what happened, and outlining the process to shape expectations. Whilst investigations and legal proceedings are in train we are limited in what we can say so as not to influence or prejudice the same.

The general messages have been versions of the below –

Deputy Chief Constable Fiona Taylor said:

Our thoughts remain with Sheku Bayoh's family and friends following his death three years ago, and we continue to offer support to anyone affected by this tragic incident.

Police Scotland has been committed to cooperating with the PIRC and the Crown Office throughout the investigative process, and whilst this continues we cannot comment further.

## **6. Tactics**

A range of communications tactics will be deployed as appropriate. For our internal audiences, these will include use of our existing internal communication channels as well as face to face communication with directly impacted teams.

Going forward, regular engagement and updates will be required with key partners and the Scottish Police Federation.

A communications action log will record all planned activity.

## **7. Risks**

The events of May 2015 and the ongoing PIRC/COPFS investigation present a risk to maintaining public confidence in policing. Clear and timely communication will assist with mitigating the impact of this however this has been restricted by the ongoing investigations.

The deceased family's lawyer also represents members of the family of deceased [REDACTED], who lost her life following the M9 incident in July 2015, and other high profile individuals. This has generated a common theme of criticism for the police.

The terrorist attacks in England in 2017, France in 2015 and the outcome of the EU Referendum in 2016 heightened interest in the media in hate crime, particularly racial or religiously motivated. The deceased family's lawyer represented a number of people involved in an incident in [REDACTED] and has taken steps to publicise the number of hate crimes in Scotland since the atrocities in France. The Black Lives Matter movement saw growth in momentum in the UK.

Confidence in policing in general has been a recurring theme, following the inquest into the deaths of Liverpool football fans at Hillsborough in 2016. The deceased's family lawyer has drawn this comparison with the lack of answers whilst the PIRC investigation continues a year after the death. This criticism has been levelled more at the PIRC than Police Scotland, with messaging demonstrating our commitment to assisting with their inquiry.

Questions have been raised regarding the integrity of various police officers in the Kirkcaldy incident, impacting on morale and undermining public confidence and leaning towards an implication of wider institutional racism within the police. This issue should be addressed through work with Safer Communities to prepare for such a claim and a set of key messages prepared to respond to any future criticisms.

[REDACTED]  
[REDACTED] Either maintaining full pay or reducing pay has a risk to morale of officers and to the reputation of the force concerning public funds, and clear and directed messaging has been developed to mitigate these risks in various quarters. [REDACTED]  
[REDACTED]

Complaints have been lodged by persons indirectly involved with the incident itself, these are being handled by PSD and media do not appear aware of these at this time.

## **8. Conclusion**

You are invited to provide any comments regarding the proposed communications strategy which is submitted for approval.

Lucy Adamson  
Corporate Communications  
16 Nov 2015

revised 27 Nov 2015

revised 5 May 2016

revised 7 July 2016

revised 9 Sept 2016

revised 29 May 2018

revised 20 September 2018

revised 1 October 2018

RESTRICTED – ADVICE TO MANAGEMENT

Date/event	Activity	Audience	Lead	Status
03/05/15	Media statement concerning death in custody and COPFS referral to PIRC	Media, public, stakeholders	Kate Finlay	Complete
09/05/15	Media statement concerning protest policing	Media, public, stakeholders	Hannah Mallin	Complete
14/05/15	Updated media statement confirming unable to comment whilst PIRC investigate – CSU McEwan	Media, public	Kate Finlay	Complete
07/06/15	Funeral held, including demonstration past Kirkcaldy police station – updated media lines	Media, public, stakeholders	Hannah Mallin	Complete
10/06/15	Public confirmation of appointment of new P Div commander – press release and media introduction to follow	Media, public, stakeholders, internal	CS McLaren/ [REDACTED]	Complete
12/06/15	FOI concerning assault allegations against police officers – FOI general response issued	Media, public, stakeholders, internal	CS McLaren/CS Mitchell	Complete
24/06/15	Fundraiser at local premises cancelled with suggestions that police asked for this - refuted	Media, public, stakeholders, internal	CI Shepherd	Complete
25/06/15	Reporting of [REDACTED]	Media, public, stakeholders, internal	CS Mitchell	Complete
16/07/15	Sheku Bayoh's family speak to LBC – updated media lines	Media, public, stakeholders	Hannah Mallin	Complete
25/07/15	Press conference held by the	Media, public, stakeholders,	CS McLaren	

RESTRICTED – ADVICE TO MANAGEMENT

	Bayoh family	internal		
07/08/15	PIRC submit interim report to COPFS	Media, public, stakeholders, internal	CS Mitchell	Complete
07/08/15	Queries received around CC meeting officers following incident – statement issued	Media, public, stakeholders, internal	DCC Richardson	Complete
11/08/15	Kirkcaldy MP releases letter to CC and reply from DCC – statement issued	Media, public, stakeholders, internal	DCC Richardson	Complete
14/08/15	Lord Advocate meets with family – for our info	Media, public, stakeholders, internal	ACC	Complete
30/08/15 - 03/09/15	Series of PIRC statements concerning meeting with family – for our info	Media, public, stakeholders, internal	ACC	Complete
04/09/15	Family of ██████ issue statement in support of Bayoh family – statement issued	Media, public, stakeholders, internal	ACC	Complete
06/09/15	March in Kirkcaldy – protest policing lines before and after	Media, public, stakeholders	Kate Finlay/█████	Complete
07/09/15	CC met family	Media, public, stakeholders, internal	CC/Andrew Walker	Complete
08/10/15	Family meeting at Scottish Parliament – for info	Media, public, stakeholders, internal	CS McEwan	Complete
12/10/15	Media reporting of PC Paton's involvement in the death and historical allegations against him	Media, public, stakeholders, internal	CSU McLaren	Complete
22/10/15	Lord Advocate statement on media speculation – for our info	Media, public, stakeholders, internal	ACC	Complete
16/11/15	Communications strategy	Stakeholders, internal	Lucy Adamson	Complete

RESTRICTED – ADVICE TO MANAGEMENT

	completed			
17/11/15	FRAE Fife issue press release following meeting, including comment from CI Hamilton	Media, public, stakeholders, internal	CI Hamilton	Complete
25/11/15	Gold group, communications strategy review	All; internal and external stakeholders	Lisa McGrann/ACC	Complete
25/11/15	Bayoh family appear on Channel 4 news – lines held	Media, public, stakeholders, internal	ACC	Complete
10/02/16	Gold group, communications strategy review	All; internal and external stakeholders	Lisa McGrann/ACC	Complete
12/02/16	Refreshed media lines following queries over HSE involvement	Media, public, stakeholders	ACC	Complete
22/03/16	Coverage of 1500 and counting documentary	Media, public, stakeholders, internal	CS McLaren	Complete
08/04/16	Gold group, communications strategy review	All; internal and external stakeholders	Lisa McGrann/ACC	Complete
27/04/16	Gold group, communications strategy review	All; internal and external stakeholders	Lisa McGrann/ACC	Complete
28/04/16	Statement and internal message ahead of anniversary of death	Media, public, stakeholders, internal	ACC/Lisa McGrann	Complete
03/05/16	Anniversary of death – updated statement from lawyer criticising length of time PIRC inquiry has taken and comparing with Hillsborough	Media, public, stakeholders, internal	CS McLaren	Complete
08/05/16	Memorial event at Templehall – for info	Media, public, stakeholders, internal	CS McLaren	Complete
09/05/16	Family and solicitor meeting with Lord Advocate – for info	Media, public, stakeholders, internal	ACC	Complete

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10/08/16	PIRC report passed to COPFS Updated statements	All; internal and external stakeholders	CS Auld/ Lisa McGrann/DCC	Complete
25/08/16	[REDACTED]	Media, internal	CS McLaren	Complete
07/10/16	[REDACTED]	Media, internal	CS McLaren/CS Speirs	Complete
02/12/16	Updated death certificate in public domain	Media, internal	ACC/Lisa McGrann	Complete
31/01/17	BBC documentary	All; internal and external stakeholders	ACC/Lisa McGrann	Complete
08/02/17	Family and solicitor meeting with Lord Advocate – Amer Anwar indicated civil action	Media, internal	ACC/Lisa McGrann	Complete
03/05/17	Anniversary – updated lines	Media, internal	ACC/ Lisa McGrann	Complete
22/02/18	Questions around officers remaining off work	Media, internal	ACC/Lisa McGrann	Complete
21/03/18	Family appeared on Victoria Derbyshire programme	Media, internal	ACC/Lisa McGrann	Complete
21/04/18	[REDACTED]	Media, internal	ACC	Complete
27/04/18	Publicity concerning civil writ against DCC Livingstone	All; internal and external stakeholders	Legal/ACC/DCC/Lisa McGrann	Complete
02/05/18	Writ filed – for info	All; internal and external stakeholders	Legal/ACC/Lisa McGrann	Complete
03/05/18	Anniversary – for info	All; internal and external stakeholders	ACC/Lisa McGrann	Complete
27/04/18	Civil writ lodged with PS	All; internal and external stakeholders	Legal/ACC/Lisa McGrann	Complete
09/09/18	[REDACTED]	Media, internal	CS McEwan	Complete
23/09/18	Media coverage of source info that	All; internal and external	DCC/ACC/CS	Complete

RESTRICTED – ADVICE TO MANAGEMENT

	officers will not face individual action	stakeholders	McEwan	
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Last updated 01.10.18

Consideration must be given to briefing affected officers prior to any formal comment being provided.

ACC [REDACTED] and CS Derek McEwan must be notified.

Draft statements requiring final sign off at point of use -

Criminal charges against CC only -

Deputy Chief Constable Fiona Taylor said:

“Since the death of Sheku Bayoh in May 2015, Police Scotland has cooperated with both the Police Investigations and Review Commissioner (PIRC) and the Crown Office and Procurator Fiscal Service as they compiled and then assessed the report into the circumstances surrounding the incident.

“Our sympathies remain with Sheku Bayoh’s family and friends. They, and the officers involved in these tragic events, have been waiting for this process to get to this stage whilst the independent investigation was undertaken.

“With a charging decision now made by the Crown concerning Police Scotland, we must allow legal proceedings to take place without prejudice and so it would be inappropriate to comment further at this time.”

Criminal charges against individual officers -

Deputy Chief Constable Fiona Taylor said:



“Since the death of Sheku Bayoh in May 2015, Police Scotland has cooperated with both the Police Investigations and Review Commissioner (PIRC) and the Crown Office and Procurator Fiscal Service as they compiled and then assessed the report into the circumstances surrounding the incident.

“Our sympathies remain with Sheku Bayoh’s family and friends. They, and the officers involved in these tragic events, have been waiting for this process to get to this stage whilst the independent investigation was undertaken.

“With a charging decision now made by the Crown concerning Police Scotland, a number of officers have been suspended from duty/have been placed into restricted roles whilst the legal proceedings take place. To allow this to happen without prejudice, we are unable to comment further at this time.”

FAI -

Deputy Chief Constable Fiona Taylor said:

“Since the death of Sheku Bayoh in May 2015, Police Scotland has cooperated with both the Police Investigations and Review Commissioner (PIRC) and the Crown Office and Procurator Fiscal Service as they compiled and then assessed the report into the circumstances surrounding the incident.

“Our sympathies remain with Sheku Bayoh’s family and friends. They, and the officers involved in these tragic events, have been waiting for this process to get to this stage whilst the independent investigation was undertaken.

“We welcome the announcement of the Fatal Accident Inquiry which will allow the circumstances to be examined in court and any lessons learned. We must allow these legal proceedings to take place without prejudice and so it would be inappropriate to comment further at this time.”

