



The Sheku Bayoh Public Inquiry

Second Witness Statement

Tim Kirman

**Taken by [REDACTED] on MS Teams
on Thursday 21 March 2024**

Witness details

1. My full name is Timothy Kirman. I prefer to be called Tim. My date of birth is in 1971. My contact details are known to the Inquiry.
2. I previously gave a statement to the Inquiry which I signed on 2 November 2023 (SBPI-00400). I joined Police Scotland in 2008 as a trainer and I left the organisation in October 2017.
3. Initially and predominantly I was based at Tulliallan in Kincardine. Although I was seconded towards the end of my time with Police Scotland, I was still based at Tulliallan and was a trainer there.


Diversity Trainer

4. I was a Diversity Trainer with Police Scotland. It was one of my main roles. When I joined Police Scotland it was one of the areas of training that civilians would deal with.
5. On arrival I learned my role by shadowing. I then undertook a full weeks' training by an external agency. I can't remember the name of the company. It was on the Police Scotland diversity trainer training programme. I already

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had a postgraduate certificate in education so didn't need to do further training for my role.

6. My role was to train police probationers. In 2008, any new intakes to Scotland's legacy police forces would go to Tulliallan and I would deliver diversity training to those students.
7. In those days, the higher uptake of officers to meet the government line of adding 1,000 police officers meant we had a higher intake. Every 4 or 5 weeks a cohort of students would change.
8. When it became Police Scotland in 2013, the legacy forces became divisions that reflected the same training cohort.
9. When I joined there needed to be two diversity trainers per class. One of the reasons was that there needed to be corroboration of the training of the subjects. It would end up being two days of diversity training.
10. Over my time in Police Scotland, the content of the courses didn't change but the time required to deliver it changed.
11. After my trainer to trainer programme, there wasn't really another one after that. Over time the numbers of training staff diminished. Voluntarily redundancies were offered. It got to the point where there was only one of us delivering it. I was still regularly called in to give training on diversity when I was on secondment because of a lack of staff.
12. When I joined, my line manager was an Inspector. Each division of probationer training had an Inspector who was the line manager for the trainers. This changed when Police Scotland reduced the costs of training due to austerity and lack of funding. Rather than three Inspectors covering three divisions, this was cut to one Inspector.

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13. By the end of my time at Police Scotland I'd had four line managers in a year because people coming into the posts were coming in on a short term basis.

Training Schedule

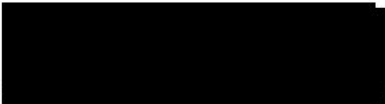
14. When I started in 2008, the Scottish Police College provided four and a half days of diversity training to probationers.
15. This was argued to be too long, but I would say it's even not long enough. They cut it to two days of diversity training in 2009 or 2010. We couldn't have speakers who came for one day. But the content and materials stayed the same.
16. It changed from four and a half days to two days in 2009 or 2010. There was a request for overall training to be reduced from ACPOS. The SPA at the time were cutting budgets and they were trying to make it more streamlined.

Training Material

17. I am asked to explain the training material in place for race in 2015.
18. The trainer's role was to deliver the training material that was provided by the training Review Team in Professional Standards. They were the gatekeepers for the materials. The Review Team's role was to make updates to the material and distribute the changes.
19. In general terms, for all materials including diversity training materials, trainers as individuals might notice problems in the notes and make small changes in the delivery. You may see changes in delivery between trainers.
20. I wouldn't change something unless there is a note to do so. If I knew ACPOS had approved something for training, I wouldn't do something different. It was important that when the notes came out for each course that is how it was delivered.

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21. When I say the notes, I mean the notes from the Officer Safety Training (OST) student manual. The lesson plans usually follow the notes, for example in teaching about what is a breach of the peace. These notes are broken down into topics. However, when teaching about diversity, the notes were more like discussion points rather than a set plan for how to teach it.
22. For example in the Diversity Awareness – Challenging Methods plan (PS18876), the overarching notes are from the training manuals but the delivery of the lesson plan is the discussion.
23. The reason for this is, if you consider some of the topics in the public eye, changes to diversity issues come in thick and fast. In the Diversity Awareness – Challenging Methods plan (PS18876), the notes and the Powerpoint plan won't follow the same approach, because a lot of them are brought in from conversation with the probationers about current ideas.
24. Another example is the plan for Diversity Awareness – Stereotyping, Prejudice and Discrimination (PS18872), all the trainers would deliver this training in the same way. It's pivotal to understand all the diversity challenges. There may be small changes between delivery, for example I wouldn't use the word "issues" to describe it, personally.
25. On the slide "Who Drives This Car?" and onwards in the stereotyping exercise in the Powerpoint presentation (PS18872), we would ask questions about race in this exercise and show how easy it was to stereotype. One example was a 19 year old who was driving his father's BMW. He was pulled over because he didn't fit the expectation of what a person should be who is driving that car. We asked them to think if someone of colour driving this car, what would their reaction be? By the 3rd or 4th car they could see what we were doing and how it was drawing out stereotypes.
26. While we deal with race specifically in this presentation, we would also raise it at any part in the training. The student learning notes are on diversity.

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Within diversity someone might make a comment that requires a person to think about stereotypes.

- 27. The Powerpoint presentations show where all the trainers started and ended with the students. This was always the same.
- 28. Race was taught throughout the training. Race is a topic we often used to enable conversations and discussions. Race could be prevalent in any conversations we had.
- 29. For example if we were doing a lesson on breach of the peace, if there is something in the training that would suggest race, we would raise it.

External speakers

- 30. One of the casualties of the cuts in around 2010 was external guest speakers. They were educational advisors within some capacity. These may be people of colour, for example there was a refugee with leave to stay in the UK who spoke about their experiences. That day was cut because it was deemed that at other points in the course these points could be made.

E-learning

- 31. There were conversations about putting all diversity training online in 2017. I don't know what happened to that. There was a project for putting it all on Moodle but I don't think all training ever moved over. For probationer training I don't know if that ever all moved online.
- 32. Diversity training was provided to staff on e-learning. I remember getting an e-learning diversity training package around 2014. Our line manager would make sure we've completed this package. That's for all staff and officers, not just civilian staff like me.

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- 33. I was dealing only with diversity training for probationers. The e-learning Moodle was the only diversity training provided to all staff.
- 34. OST was refreshed every year but there was no diversity refresher training. As far as I'm aware it wasn't provided by anyone. We didn't retrain anyone in diversity. The only thing they came back to the College for was OST.
- 35. I have read the Equality, Diversity and Dignity SOP (PS10945) where the following is stated at page 14: *"In addition, equality and diversity will be integrated into all relevant training."*
- 36. I don't know what Police Scotland means by "relevant training". I can say categorically, none of the OST directors were reminding the officers of equality and diversity. I know the officers who trained this.
- 37. In probationer training, diversity was integrated into all training but I don't think it was covered in all training, for example OST and control room training. I know it was integrated because it was something they were assessed on.
- 38. E-learning packages at your desk is not recertifying, it's more ticking a box rather than teaching people.
- 39. Brenda Armstrong was one of the leads on equality and diversity in Police Scotland so she may have been in charge of e-learning. It might have been the SPA who provided this. It becomes a bit of a blur for my memory. I was technically an SPA employee but I worked for Police Scotland.
- 40. I don't know of any other diversity training in Police Scotland apart from what I did in probationer's training.

Learning from other cases in the UK and abroad

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41. We would use the Stephen Lawrence Inquiry in the training. There were notes that had the Lawrence case and there was a video about this.
42. The "Diversity Awareness – Unacceptable Behaviour" Powerpoint (PS18875) deals with various aspects of racism, including institutional racism.
43. When you get to slide 36 and you get the definition of institutional racism. From that point we would put on the videos and talk about Stephen Lawrence. It was discussed from the point of view of the evidence in the case and the actions of the police officers. A newspaper had ran an article of the suspects being murderers and discussed that these men killed Stephen because of the colour of his skin. We discussed this. The points were not investigated by the Met at first. We'd talk about the failings of the Met as an organisation.
44. This was discussed by asking the group what they would do. We first discussed what they would ask Stephen's family when they attended their home. Once we have discussed this, we'd show the family that his parents were asked what was in his bag and why was he in that part of the city. We'd highlight that this is because of the stereotyping points in the enquiry. We'd ask if they thought he was treated differently because of the colour of his skin, which is very likely.
45. We discussed how more questions than answers came out in Stephen's situation. This was talked about from a race perspective. A person killed because of the colour of their skin and then the failings of the organisation and the prejudices.
46. The stereotype was Stephen being black and having a rucksack and being in a particular area created a presumption that he was up to no good or on drugs or something along those lines.

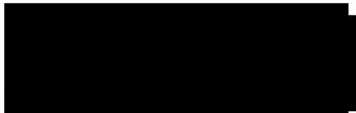
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47. If Stephen Lawrence was a white man we asked the group whether those same questions would prompt in their minds. It was about their perceptions. But for a white man there wouldn't be these stereotypes. We'd discuss what was known about the enquiry and asked: would these officers would expect the same questions about them? We'd discuss why these sorts of questions were asked about Stephen Lawrence. There's an assumption by the investigators that Stephen was up to no good but he's the one who has died.
48. These stereotypes would be explored after we'd challenged the students to think about what happened and why.
49. The video for Stephen Lawrence was about how policing was going to change. Federation Reps for England were talking about the findings of the investigation. The video would show the locus, showing where Stephen was attacked. We talked about this and then talked about the subsequent inquiry.
50. We would ask the students how would they investigate the case, eg door to door, taking statements etc. They would tell us and we would tell them what was done in the initial investigation by the Met. We should explain all the failings. It was discussed from that point of view. The presentation would go into racism in the case and would actually go into the definition of institutional racism in slide 36 and 37.
51. SPELS training was introduced because the officers in attendance with Stephen Larence didn't know basic life support. There was no hands on resuscitation. It was an organisational response by Police Scotland to introduce this training.
52. Later on in the course we would train about custody. The circumstances of Christopher Alder's death in custody is used for prison care and welfare. It was about custody rights.
53. There was a video we used of Dispatches of Christopher's sister speaking and in the background the video is playing and can hear him breathing. Then

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only when he stops breathing do they intervene. This led to conversation in the group of why they treated him as they did.

54. This case reinforced the race aspects of prejudice. It's another city with another police force. The message is that this is an organisation responsible for the safety and security of everyone in the country. You need to treat people with respect and dignity and according to their needs. Diversity training is not about moving the goalposts and political correctness, it's about treating people fairly.
55. With Christopher Alder, he's a person who's clearly not received sufficient care. We asked the students, if he was white, would they have expected him to receive more care? You're showing a video of a person clearly in respiratory distress and people joking and laughing. We asked them to consider what would drive them to think that was acceptable. If he wasn't black, would he have been treated differently.
56. Also we asked, when Christopher was in the police van he had his trousers up and then when he was being brought in they were around his ankles, the question is would this happen to all prisoners or is it because of race.
57. The investigation into the death of Simon San was another relevant example for race in the training. It was used as an example of how did the police in Scotland, as an organisation, fail. We discussed the response to Simon's death, was it suitable, was it enough?
58. Lothian & Borders Police did not do enough to respond to Simon San and his family making complaints about getting taunted and getting abuse. The Lord Advocate at the time had guidelines that every incident said to be racist should be treated as racist. It should've been investigated as a racist incident. It shouldn't have been the officers' decision whether or not it was racist on the complaint. I understand Simon San and his family regularly reported and they'd basically been ignored. The police were found to be flawed.

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- 59. When Simon San was murdered the police didn't treat it as a racist murder. This was another flaw.
- 60. Simon San's case was discussed as part of the presentation "Diversity Awareness – Organisational Culture" (PS18874) including at slide 17. The point is that building community and race relations is not just part of the job, it is the job.
- 61. Simon San is the best example of preventing assumptions that something is not a racist crime. That was a case of the police meeting the criteria of being institutionally racist. That is why it was in the training, to counteract these possible assumptions.

Assessment

- 62. When the student first attends the College they get notes with 6 units. Unit 1 covered bread and butter matters, including diversity, emergency life support, human rights and mental health. These are matters the officers would have more contact with through their day to day police work.
- 63. At the end of each module there would be a written assessment, a multiple choice exam. Within the bank of questions for that Unit there would be questions around diversity. There might be questions subsequently that touch on race, such as training on hate crimes, and they would be questioned on race or religious issues, such as whether an event was a hate crime or a crime motivated by race or religious hatred.
- 64. There can be practical assessments where issues such as a scenario where a person has died who may be perceived as Muslim. We would have actors and the scenario would be scripted. The students would be challenged in their actions and questions. For example, they might suggest they should

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Speak to the Imam, and we would challenge that and say how are you sure this person is Muslim and why should you speak to the Imam.

65. The other side of assessment is providing a package to provide to the student to go back to their Force and then Division as of 2013. If someone did something well or had a good example they might get a positive performance note for their force to see. If they did something that was not appropriate or didn't appreciate something, we would give a negative performance note.
66. There were very few instances where a person didn't qualify following the training. There were very few examples when someone did something very bad and was asked to leave.
67. We did assess them and could note that they weren't particularly trying or didn't understand something which they would go back to their Force or Division with, but it wasn't our role to pass or fail them. We were there to train them and assessment was a smaller part of that.
68. Teaching Educational Standards (TES) would come in to assess the trainers in how we were delivering the lessons. For example, I had an Inspector sitting in for one module.
69. Assessment of trainers was not very robust when I was there. There were meant to be processes and procedures where it would be more robust. I have been in training for around 20 years and have been through a robust educational system. Compared to an outside body like OFSTED it wasn't very rigorous.
70. With regards to a specific SOP on education, I know that there was a requirement to have a diploma to show you were competent. I don't know if that's because of a policy. I wasn't aware of any policy document.

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Models of training

- 71. Education hasn't changed in what is a good lesson. I've always said what are the aims and outcomes.
- 72. Unconscious bias came out of the diversity trainer training programme. This is in the training notes and Powerpoint presentations, such as "Response to Dominance" (PS18873) for example. Unconscious bias would come more out of responses to situations.
- 73. We weren't trying to out racists. We were trying to show that everyone has prejudices. These prejudices might be something that can come out in their police work. We would try and instil into the officers what unconscious bias is and how to recognise it themselves. But we wouldn't try and draw out their unconscious bias in the sessions.
- 74. For race, it was easy to use Rangers and Celtic as an example. We would ask if they would treat someone differently because they were supporting the wrong team. And that would then extend to race, religion etc. We would hold conversations with them to show it. It was up to them to recognise it as individuals. I had one colleague who did not realise until the session that within their family football was so ingrained that it would be difficult for them not to prejudice against people who supported the other team.
- 75. The aims of the organisation feed down. Training is the first thing that the police come in on. Policing plans, for example, are informed from the overarching organisational mission. Equality and diversity is said to be their job, not just part of their job. They are there as a member of an organisation to serve every member of the public. That was the organisation's approach and was fundamental.
- 76. The model was getting people to question their values and beliefs. That was the aim and outcome.

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Effectiveness of training

- 77. I can't think of a time when I felt that the lesson was ticking a box, which is the easiest way of saying it. Generally, diversity awareness training is there to highlight race to officers and we did this.

- 78. A long time ago I recall one student at the College bar, having done the diversity training, made comments about women and Catholics, and was sent home and I assume was sacked by his force. That was disappointing.

- 79. I think where the training becomes ineffective, and this is a challenge to every public organising, when you go through austerity and there becomes a point when you cut everything to the bone, it won't be as effective. By putting things online, if all training was to go this way, would not be as effective. In terms of making people aware, it was successful.

- 80. Organisationally, it falls down when the organisation has problems with culture. You will have officers and students joking about going back to the force and forgetting everything about the college.

- 81. Organisationally and culturally there is an element of not wanting to dob your mates in. On slide 13 of "Diversity Awareness – Organisational Culture" (PS18874) it says attack one of us you attack all of us. That is part of the culture of Police Scotland in the time I was there. It's a closing of the ranks. Unfortunately that is part of the puzzle that you can't get rid of.

- 82. Some elements are so ingrained into the organisation that, even with the best training in the world, going back to an environment where they're told that everything taught in the college is not how we do things here. That is the biggest challenge. If Police Scotland are honest, that is what everyone knows who go through the college.

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83. The training does what it's meant to and it provides the information. There is an element of what happens in the real world coming in as well. The organisation can have SOPs and policies but then culturally they learn from other officers in the force that they go to. As a young officer it's probably very difficult to challenge that culture because they're the new person. Training is effective to a point but the fact there's no recertification means they will learn more from their Force or Division.

Equality Impact Assessments

84. When we had Police Scotland an approach was taken to have a SOP for everything like they had done in Strathclyde Police. This may have included equality impact assessments.

85. I didn't provide training on equality impact assessments.

Culture in Police Scotland

86. I'm aware of bullying in Police Scotland. I have been treated differently myself. As a civilian member we were never treated as equals to the officers.

87. Police Scotland culture was what I described above. There is a difference between what officers do in Force or Division environment and what they do in a training environment. Everyone knows that. They describe training as "the pish you were taught at the college" which is a term used often. I don't think this will have changed since 2017 but I don't know.

88. The ground floor canteen culture does exist which has an element of protecting each other, attack one attack all, closing ranks when someone is in the spotlight. This includes complaints of bullying being brushed under the carpet. I loved my job there so I don't have an axe to grind, but by the end I did not enjoy the attitude.

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- 89. As an organisation, a culture existed. They've been through all the same training, processes, conversations on the shop floor, and they should all know the rhetoric hasn't changed in 15 years and probably still the same.
- 90. I am asked if I experienced any racist jokes or comments. Not directly. If I heard anything racist I would challenge it. There was an incident at the College where an officer was charged for making a racist comment on a night out. It was reported and investigated properly.
- 91. The best example of race is explaining to officers of its wrong to use a particular word when they get a Chinese takeaway.
- 92. I've had a comment against me for my accent being English in a social setting. It annoyed me and I didn't engage with the group for a while. One officer spoke to me and the officer and they did come and apologise. I wasn't privy to hearing any racist jokes or comments. They probably knew I would challenge them as I was the diversity trainer.

Institutional racism

- 93. I picked up on the statement from the former Chief Constable that Police Scotland are institutionally racist. I view these things from all perspectives. Looking at Police Scotland holistically, I recognise as a trainer having delivered this training, the intention of the organisation is to instil these values and beliefs of what is correct and right to treat people with respect and dignity. That suggests the right approach by the organisation.
- 94. The other side is that I know what it's like to develop culture. It's a very complex topic. There's 17,000 or so serving officers. There will be pockets of officers who are racist. They are representative of society and those people are in society. If the policies are laid out to treat people respectfully then they will not be institutionally racist. The people in the organisation are. I know of instances where people are maybe sexist. I'm aware of the canteen culture

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that training you do at the college is not done on the street. If Police Scotland know this and don't correct it, then they would be institutionally racist for this reason.

- 95. If you look at the amount of documents available to officers on race, such as SOPs, Equality Impact Assessments, training materials, for anyone to be in a situation to say they didn't know or weren't told about race in policing, the officer should know better because they're either lying or have basically ignored the information available.
- 96. I believe the facts stated in this witness statement are true. I understand that this statement may form part of the evidence before the Inquiry and be published on the Inquiry's website.

April 10, 2024 | 1:07 PM BST
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