



MY GLASGOW... BY ROBERT CARLYLE  
INTERVIEW MAGAZINE

# sundayherald

19 July, 2015

£1.50



**POLICE  
SCOTLAND**

**Revealed:  
Turmoil  
within  
police  
watchdog**

INVESTIGATION  
BY PAUL HUTCHEON

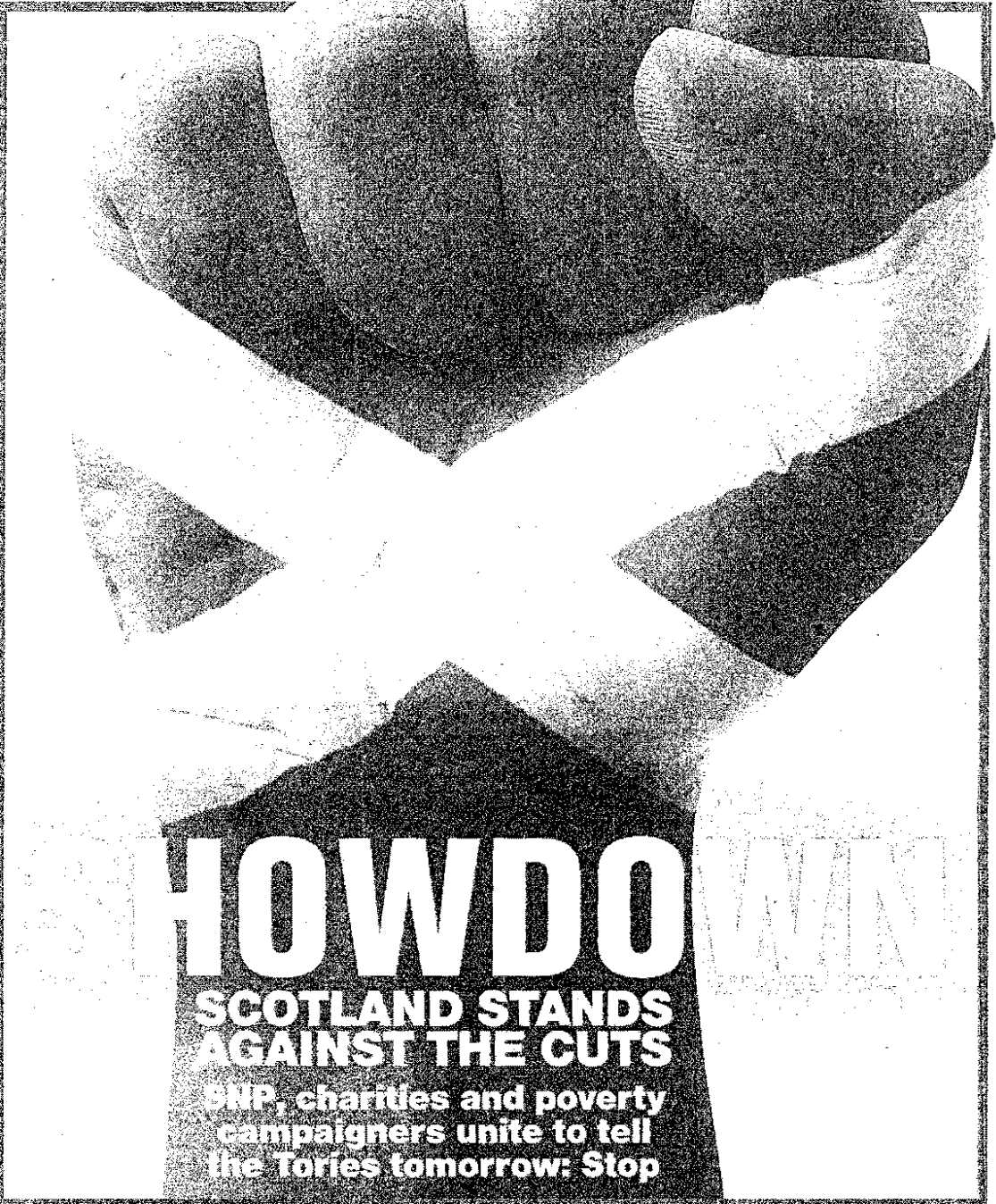


**Support  
for justice  
campaign  
after  
death in  
custody**



**PLUS:  
Police refuse  
to reveal if  
they spied on  
journalists**

**PAGES 4,5,6**



# HOW DO

**SCOTLAND STANDS  
AGAINST THE CUTS**

**SNP, charities and poverty  
campaigners unite to tell  
the Tories tomorrow: Stop**

# Sheku family want talks with top cop

THE family of a man who died after being in police custody want to meet with Scotland's top cop to find out the truth about what happened to him.

Father-of-two Sheku Bayoh, 31, was involved in a clash with police in May. It is alleged officers restrained him using batons, CS spray, leg restraints and handcuffs.

Sheku was pronounced dead after arriving at Kirkcaldy's Victoria Hospital

**SARAH VESTY**  
svesty@dailyrecord.co.uk

a short while later. Kirkcaldy and Cowdenbeath MP Roger Mullin has written to chief constable Sir Stephen House on the family's behalf and asked for a meeting.

His relatives claim they were told five different versions of events in the hours following Sheku's death before being informed he died in custody following a forceful arrest yards from his home.



RESTRAINED Sheku Bayoh

## Stem cell ops breakthrough

SCIENTISTS have repaired a damaged liver for the first time using stem cells. It could mean an end to the need for transplants, say experts at Edinburgh University.

## Sick workers soldiering on

ALMOST half of British workers have gone into work despite being sick, a poll found. The study also revealed 28 per cent felt under pressure from bosses to carry on when they were ill.

# CHILD'S PLAY



SPIN/RESS

Ryan stars with Ben Kingsley in thriller

## Hollywood star says he has developed a completely new outlook on life after becoming a parent at the age of 38

**MARLENA THOMPSON**  
reporters@dailyrecord.co.uk

AT the age of 38, Ryan Reynolds isn't ready to start picking up his pension yet but the Hollywood star is counting his blessings he was able to become a dad.

Reynolds and wife Blake Lively, 27, are getting used to life with baby daughter James and he admits he was overjoyed that everything 'downstairs' was in good working order.

"In my late thirties, I'm happy my boys can swim," the Canadian actor said. "I'm in a great place. I have a little girl and I couldn't be happier. There's no place I'd rather be - it's the ultimate trump card."

Away from the Hollywood glitz, the first-time dad has thrown himself into the unglamorous aspects of parenthood with teeth, happily going elbow-deep in dirty nappies.

He said: "It's the most exciting time you can imagine. You try to get used to the idea of waking up several times in the night to feed your baby or change diapers or rock your child back to sleep. Sometimes you're in such a state, you don't even remember getting up."

"Normally, you'd go crazy interrupting your sleep that way but when it's your baby, it's the best thing in the world."

"It seems almost unbelievable she's already a half-year old. But I want to make the most of this time in her life."

Becoming a father seems to suit Reynolds. He added: "It's such a great relief to no longer be the centre of my own universe."

The former child star is already reflecting on his early years and whether he would want the same for his daughter.

"I've always had an aversion to child actors," he said, before it is pointed out to him that he was once one, too.

"Yeah, well I was 13 and trying to get out of the house. I didn't have stage parents. I'm always wary of that."

Putting a kid in showbusiness is a really scary proposition because who is it for?

"I know adults that can't handle it so I don't know how a kid is expected to handle any level of fame, let alone the levels of scrutiny that come with it. It's too much for a kid."

Born in Vancouver, Reynolds is the youngest of four sons of a former



## FATHER

Ryan carrying daughter James in a sling



## SUPERHERO

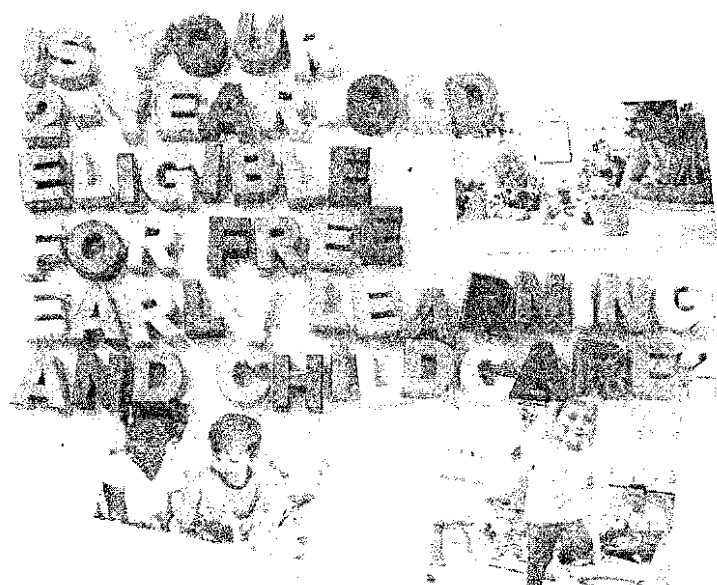
He co-starred with Blake in Green Lantern

policeman and a retail worker. His parents had adopted their eldest son after being told they couldn't have children before defying medical opinion by conceiving two boys naturally. He has joked in the past that he was their attempt to try for a girl.

For him, fatherhood is his personal coming of age alongside a professional career that began in the Canadian teen soap *Hillside* and later as Seth in *Sabrina, the Teenage Witch* then a string of A-list roles.

He has turned his hands to a variety of genres. His 2009 romcom *The Proposal*, with Sandra Bullock, took in \$211 million. Other films include *X-Men Origins: Wolverine*, *Van Wilder: Party*

» It's such a great



Early learning and childcare will help young children gain vital language and learning skills, improve their social development and help them do better at school when the time comes. It will also support parents to work, train or study.

Two-year-old children are eligible for 600 hours of free early learning and childcare if their parent or carer receives:

- Income Support (IS)
- Job Seeker's Allowance (income based)
- Any income related element of Employment and Support Allowance
- Incapacity or Severe Disablement Allowance
- State Pension Credit
- Child Tax Credit (CTC), but not Working Tax Credit and your income is less than £16,105\*
- Both maximum CTC and maximum Working Tax Credit and your income is under £8,420\*
- Support under Part VI of the Immigration and Asylum Act 1999\*
- Universal Credit\*

In addition, children aged two or over who are (or have been at any point since turning two) looked after by a local council, the subject of a kinship care or guardianship order are eligible.

\*This applies to children who have turned two on or after 1st March 2015.

The income thresholds for Child Tax Credit and Working Tax Credit can vary annually.

For more info visit

[earlylearningandchildcare.scot.nhs.uk](http://earlylearningandchildcare.scot.nhs.uk)  
ask your health visitor or contact your local council.





for the outcome of the circumstances surrounding the death of Sheku Bayoh to be made known.

"Reacting to snippets of information that may or may not be true while an investigation is under way is not in anyone's best interests."

The Sunday Herald tried to contact Police Scotland's media office last night for comment. The call was directed to a recorded message saying the line was "not available". However, the Press Association reported comments from Chief Superintendent Garry McEwan who said Police Scotland was awaiting the conclusion of the PIRC investigation and the force remained committed to co-operating fully with the PIRC's inquiries.

He added: "I would like to again take this opportunity to offer my condolences to the family and we continue to offer support to them as required."

A spokesman for the PIRC said: "We fully empathise with the deceased's family at this very difficult time and their need for answers in relation to the circumstances sur-

rounding the death of Sheku Bayoh on May 3, 2015.

"Our investigators are carrying out an extensive enquiry, which has many different facets that require to be thoroughly investigated. For that reason, it is only right that such serious matters are given careful consideration and the Lord Advocate is aware of progress made by the enquiry.

"A report on the PIRC's findings will be submitted to the Crown Office and Procurator Fiscal Service (COPFS) in due course."

A spokesman for the Scottish Government said: "The PIRC is currently conducting an independent investigation. It is important we all await the findings of this robust and thorough investigation.

"We cannot comment on individual cases or ongoing investigations by the PIRC.

"The Scottish Government believes that the investigative powers the PIRC has are sufficient, and the PIRC has not indicated they require any additional powers in order to undertake their role effectively."

**Bayoh's sisters Adama Jalloh, Kadi Johnson and Kosna Bayoh say they will not rest 'until we get justice'**

**Photograph: Stewart Attwood**

**EDITORIAL PAGE 26**



## Sheku Bayoh death in police custody: the unanswered questions

BY JUDITH DUFFY

**O**N THE morning of Sunday, May 3, Sheku Bayoh left his home in Kirkcaldy sometime just after 7am, and walked a short distance to nearby Hayfield Road. Officers were reportedly called to the scene following alerts from members of the public that a man was walking down the street "brandishing a knife". Bayoh's family say they are now battling to find out the truth of what happened next. Here are the main concerns they have raised:

- **No knife was found**  
In the immediate aftermath of Sheku Bayoh's death reports suggested that the police responded to a call of a man brandishing a knife and the earliest reports were that a female police officer had been stabbed. But the Bayoh family's solicitor, Aamer Anwar, said it has now been established that when police arrived Sheku was not carrying a knife, nor was one found on him.

- **Why did officers believe they were dealing with a terrorist threat?**

The family say they have established that police believed they were dealing with a terrorist threat when they attended the incident involving Bayoh. They want to know why this was the case and whether that had any role in his subsequent treatment.

- **Did officers use excessive force?**

In May, a statement issued by Scottish Police Federation (SPF) legal adviser Professor Peter Watson said that it was "deeply regrettable" that Bayoh had lost his life. It went on: "A petite, female police officer was chased then subjected to a violent and unprovoked attack by a very large man who punched, kicked and stamped on her.

"The officer believed she was about to be murdered and I can say that but for the intervention of the other officers that was the likely outcome."

The Bayoh family say the officers had a right to defend themselves and arrest Sheku if he broke the law, but the use of force must be "lawful, necessary and proportionate".

They have raised concerns that CS spray, a form of pepper spray, and batons were all used on Bayoh and

that he was restrained and brought to the ground within 45 seconds, "face down on the pavement, never to get up again".

The family also say that while there was much talk about Bayoh's height and weight, 5ft 10in and 12 stone 10lbs, they have repeatedly asked about the height and weight of the officers involved in his restraint, and have found out one was more than 6ft 4in tall and weighed 25 stones.

- **How did Bayoh die?**  
Initial reports suggested that Bayoh may have suffered a heart attack. His family say the cause of death has not been determined, but they have instructed a leading UK pathologist, Dr Nat Cary, to investigate.

The family say a type of haemorrhage that is an important sign of positional asphyxiation was present in his eyes. Positional asphyxia - or suffocation - occurs when someone cannot breathe because of the position they are in.

The family have also raised concerns that when Bayoh arrived at Victoria Hospital in Kirkcaldy, he was unconscious but was still handcuffed with leg restraints in place, which doctors demanded be removed.

- **Different version of events provided by police**

The family say they were given five different versions of how events unfolded over the course of seven hours. They say his partner, Collette Bell, was initially told he had been found on a street by a member of the public who called an ambulance, but he then died on the street. It wasn't until 4.30pm that day that his family said they were told he had died in police custody.

- **Why did the police officers involved meet in the aftermath?**

The family claim eight of the officers involved in the incident returned to their police station afterwards and were in the same room from about 9am, with a Scottish Police Federation representative, for two hours. When a senior police officer arrived, it is claimed they refused a request to speak to him. The family also say they have uncovered that the police woman who attended hospital after the incident did not go home to recover but joined these colleagues after she was discharged.

SPECIAL REPORT  
BY JUDITH DUFFY

**T**HE family of Sheku Bayoh have launched a campaign to demand answers over his death in police custody, following the emergence of disturbing new developments – including that he was not carrying a knife when apprehended by officers.

Bayoh, 31, was overpowered by police in Kirkcaldy, Fife, on May 3 and later died while in police custody. It had been claimed that officers were responding to reports of a suspect carrying a knife.

But yesterday solicitor Aamer Anwar revealed that the family of the father-of-two claimed to have discovered he was not carrying a knife when he was approached by police – who used CS spray and batons before pinning him to the ground.

Other facts surrounding Bayoh's death, which Anwar and the family have uncovered, include details of how Bayoh, who was 5ft 10in and weighed 12 stone 10lbs, was restrained by five officers "on top or around him", including one officer who was over 6ft 4inches and weighed 25 stone.

Bayoh's family also want Police Scotland chief Sir Stephen House to explain why the officers involved said they believed they were responding to a terrorist threat and whether that had any role in how he was treated.

Bayoh's death is being investigated by Scotland's police watchdog, the Police Investigations and Review Commissioner (PIRC).

The new information was revealed yesterday at the launch of the Justice for Sheku Bayoh Campaign in Glasgow, which was attended by around 200 people including Bayoh's three sisters Adama Jalloh, 35, Kadi Johnson, 37 and Kosna Bayoh, 40.

Johnson said: "He loved his family and he also loved the people of Scotland. He was a fine young man, a hard-working boy. How come we still don't know the truth?"

"For us, his family, we will not be able to rest until we get justice. We, his sisters, will not rest until we get justice.

"And the people of Scotland that he loved should not rest too until we get justice."

Anwar described Bayoh, from Sierra Leone, as a "well-liked, healthy young man", who had moved to Kirkcaldy when he was 17 to live with his sister, Kadi.

His family say they have been told by friends of Bayoh that he was "not being himself" on the morning of his death. However, they added that the trainee gas engineer had no history of violence.

Anwar said: "The family want to ask whether Sheku Bayoh would have died if he had not met the police."

"Twelve weeks on the family believe the answer to that question is no."

He added: "I never knew Sheku Bayoh, he wasn't rich or a powerful

'For us, his family, we will not be able to rest until we get justice ... and the people of Scotland that he loved should not rest too until we get justice'

Family of Sheku Bayoh launch campaign calling for answers over his death in police custody



man but what I have learned in the 12 weeks since his death is that he has a stubborn family, who love him a great deal – three sisters, his mother, brother-in-law Ade and his partner Colloite, who all refuse to be bullied, lied to or to be silenced.

"Six-month-old Isaac and four-year-old Tyler will never see their father Sheku again."

Anwar said the family believed "negative imagery" of Bayoh put out by police had been used to enforce an image of a "mad and dangerous" man.

But he said: "It has repeatedly been claimed that a 6ft-plus male was brandishing a knife when the police arrived and the media was told early that morning a police officer had been stabbed.

"The family also claim they were told in the hours following Sheku's death by a senior police officer that Sheku attacked a police woman with a knife, hence why CS spray and batons were used upon him.

"The family now know as a fact that when the police arrived Sheku Bayoh was not carrying a knife, he

## Key developments

- No knife was found, according to the family, who said they were told Bayoh attacked a police woman with a knife.
- Officers believed they were dealing with a terrorist threat. There was no terrorist threat.
- One officer involved in Bayoh's restraint was more than 6ft 4in tall and weighed 25 stones.
- Bayoh was unconscious when he arrived at hospital but still handcuffed and in leg restraints, family said.
- Family were initially told he had been found in the street by a member of the public. This was apparently inaccurate.
- Eight officers involved returned to the police station and spent two hours with a Scottish Police Federation representative.

never threatened them with a knife, nor was one ever found on his body."

Anwar also called for answers about why Bayoh was apparently viewed as a terrorist threat by some police officers.

He said: "The family of Sheku Bayoh want Chief Constable Stephen House to explain to them why his police officers in Fife believed that they were dealing with a terrorist threat and whether that had any role to play in Sheku Bayoh's subsequent treatment."

Ade Johnson, Bayoh's brother-in-law, cited examples of previous cases of deaths at the hands of police, including Brazilian Jean Charles de Menezes who was shot dead 10 years ago in London while making his way to work by officers who mistook him for a terror suspect in the wake of the 7/7 attacks.

He said: "In the UK at least thousands of police officers have been investigated for alleged assault, most of whom have not been suspended. What type of society are we in? Who polices the police? Who are the police accountable to?"

Johnson said the family were calling on House for answers.

He said: "There are too many questions and not enough answers, no transparency. Ten years from now we will still remember Sheku – so will his two sons who will be 10 and 13 and will be asking questions about their Dad.

"Sheku loved the people of Scotland and Kirkcaldy and now is the time for us to show our love and support for the Justice for Sheku Bayoh campaign and for Sheku."

The event, organised jointly with Scotland Against Criminalising Communities, was also attended by other campaigners whose relatives have died while in police custody.

They included Janet Alder, the sister of Christopher Alder, 37, who choked to death on the floor of a Hull police station in April 1998, and Marcia Rigg, sister of Sean Rigg, who died after being restrained at Brixton police station, south London, in August 2008.

Calum Steele, General Secretary of the Scottish Police Federation (SPF) said: "The SPF is as eager as anyone



# sundayherald

26 July, 2015

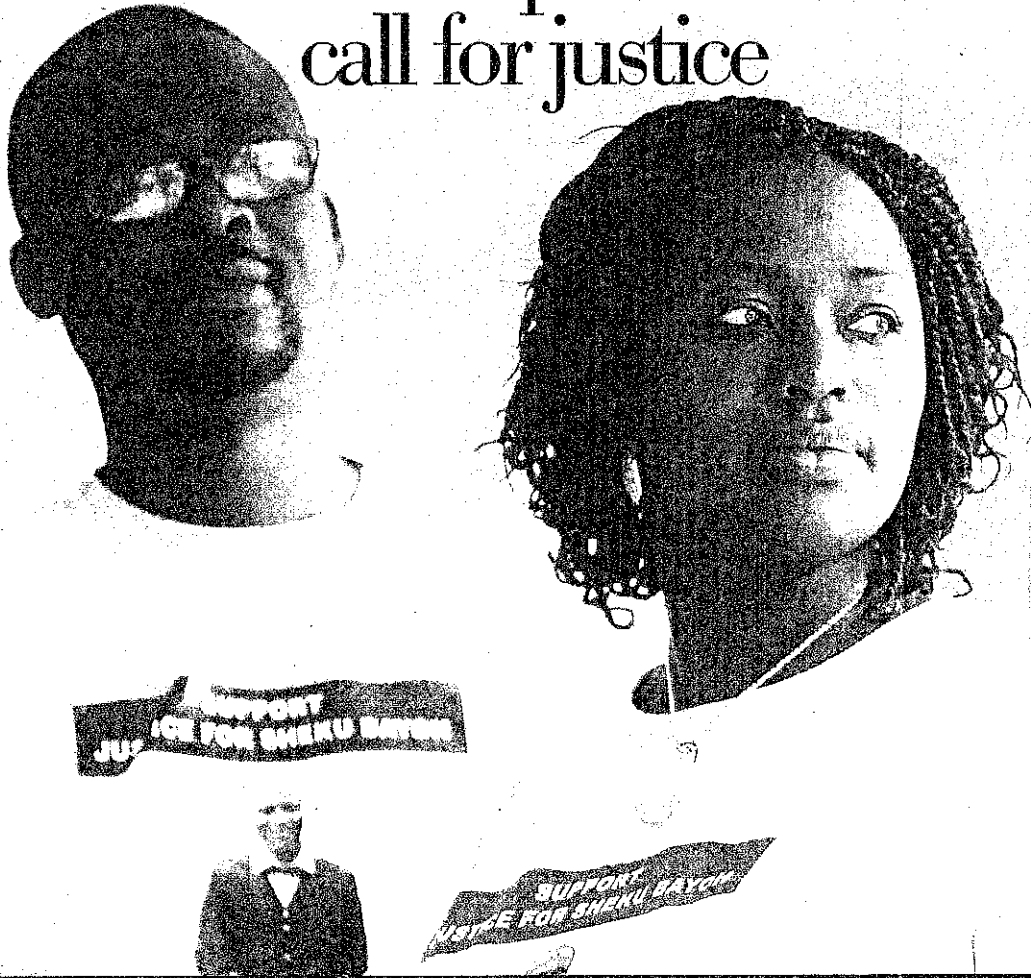
£1.50



**UGLY TRUTH ABOUT THE ROYALS' FLIRTATION WITH NAZISM: ESSAY OF THE WEEK**

## SHEKU BAYOH DEATH IN CUSTODY

### Family reveal shock new developments and call for justice



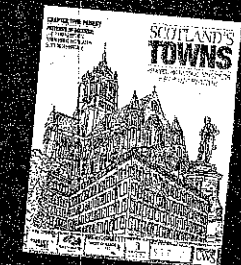
### SEX ABUSE SCANDAL

VICTIM SPEAKS  
OUT ABOUT  
BRITAIN'S VIP  
PAEDOPHILE RING



### MAGAZINE

COMEDIAN  
MARK STEEL SAYS  
FAMILY HISTORY IS  
IRRELEVANT ... SO  
WHY DID HE SPEND  
YEARS LOOKING  
FOR HIS PARENTS?



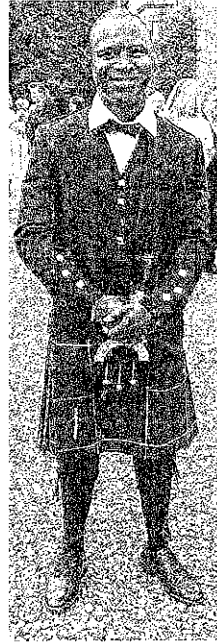
### FREE INSIDE

WHAT WILL YOUR  
HOME TOWN LOOK  
LIKE IN THE FUTURE?

# BAYOH DIED AFTER BEING ARRESTED BY POLICE



**GRIEVING**  
Sheku's sister Kadi and his brother-in-law Ade yesterday  
**Picture**  
Wattie Cheung



**FROUD**  
Sheku in the national dress of his adopted country in a picture used on his family's campaign shirts

## Investigator Independent probe is robust

**By Police Investigations and Review Commissioner Kate Frame**

With the creation of a single police service in April 2013, it was widely recognised there needed to be a robust system in place to independently investigate matters involving officers serving in Police Scotland and those serving with other policing bodies here. My post was created to provide that scrutiny.



**My post was created to provide scrutiny of the police**

As Scotland's Police Investigations & Review Commissioner (PIRC), I have responsibility for undertaking independent investigations into serious incidents involving the police when directed to do so by the Lord Advocate or at the request of Police Scotland's Chief Constable or the Scottish Police Authority.

I have the power to investigate deaths or serious injury in custody or following police contact, the use of firearms or other weapons by the police and allegations of criminal offences about officers.

I also have responsibility for reviewing the way the police handle non-criminal complaints from the public.

As Commissioner, I am completely independent of the police and lead an organisation who scrutinise these matters with complete transparency.

Two examples of this important work are investigations which the Lord Advocate has directed me to undertake.

First, the death in police custody of Sheku Bayoh in Kirkcaldy, where our team of experienced and skilled investigators have gathered evidence, taken statements from witnesses, recovered productions and continue to investigate complex lines of inquiry.

The other significant investigation is examining the circumstances surrounding the deaths of John Yull and Lamara Bell following the recovery of a car close to the M9 motorway.

Again, our team of investigators are pursuing a number of lines of inquiry and our family liaison officers continue to support the families through this difficult time.

At the conclusion of our independent investigations into both these matters, I will submit my reports to the Lord Advocate who, along with Crown Counsel, will consider my findings and recommendations before deciding what action is appropriate.

That may include consideration of criminal proceedings or holding a Fatal Accident Inquiry.

The public can be reassured that I and my team will continue to provide a robust and independent investigation of these matters involving the police.

### THE QUESTIONS

The family yesterday highlighted a number of questions surrounding the restraint and death of Sheku Bayoh and alleged failures undermining the PIRC inquiry.

### THE DEATH

Why did the force use on Sheku Bayoh force and restraint that led to his death?

Did the method of restraint lead to positional asphyxiation?

Were police guidelines on training regarding the use of force and restraint in force and positional asphyxiation followed correctly?

Were police officers told to be to Sheku Bayoh in the seven hours before his death?

Why did the force fail to call for a medical examination of Sheku Bayoh before his death?

Why did the force fail to call for a medical examination of Sheku Bayoh before his death?

### THE INQUIRY

Why did the force fail to call for a medical examination of Sheku Bayoh before his death?

Why did the force fail to call for a medical examination of Sheku Bayoh before his death?

Why did the force fail to call for a medical examination of Sheku Bayoh before his death?

Why did the force fail to call for a medical examination of Sheku Bayoh before his death?

thought he may have been attacked as he looked in distress."

Yesterday's launch and conference on deaths in custody was jointly organised by Scotland Against Criminalising Communities.

Eleven deaths in custody have been reported since Police Scotland was formed two years ago, four times the rate seen in England.

No British police officer has been convicted over a death in custody since 1969, when a suspect drowned in a river in Leeds.

Collette told the Sunday Mail: "Sheik's not the first to die in such circumstance. I've looked into other

deaths in custody and have been horrified."

Calum Steele, of the Scottish Police Federation, said yesterday: "Reacting to snippets of information that may or may not be true whilst an investigation is under way is not in anyone's best interests."

Chief Superintendent Garry McEwan said: "We await the conclusion of the investigation and Police Scotland remain committed to co-operating fully with the PIRC."

The PIRC said: "A report on the PIRC's findings will be submitted to the Crown Office and Procurator Fiscal Service in due course."

**Much was made of Sheku's height and weight. He was only 12st 10lb**



**A TRAGEDY WAITING TO HAPPEN PAGES 4&5**

# Inside



Seven Days magazine



7NIGHTS & RIGHT AT HOME  
GIGS THEATRE MOVIES  
COMEDY BOOKS GAMES  
ANDREA MCLEAN MIPs  
MOP GARDENS FOOD NEW  
HOMES DIY DON'TY BAKING  
GET THE LOOK

## For the record

If we have published anything factually inaccurate, contact the readers' editor on 0141 309 3454, at readerseditor@sundaymail.co.uk or write to Readers' Editor, 1 Central Quay, Glasgow, G3 8DA and, once verified, we will correct it as soon as possible.

The Sunday Mail is published by Media Scotland, a subsidiary of Trinity Mirror PLC, a member of IPSO, the independent Press Standards Organisation. We adhere to the Editors' Code of Practice as enforced by IPSO, which is contactable at Gate House, 1 Farringdon Street, London EC4M 7LG; www.ipso.co.uk; 0300 123 2220; advice@ipso.co.uk

If you have a complaint about a potential breach of the Code, we will deal with it directly or IPSO can refer it to us.

Go to www.trinitymirror.com/howto complain where you can view our Complaints Policy. A How To Complain pack is also available by writing to the Legal and Compliance Department, Trinity Mirror PLC, One Canada Square, London E14 5AP.

23 2 32  
LOTTERY

Check your numbers and instantly you're in it!

FREE PAGE 14  
GOT A STORY?  
PHONE 0141 309 3232  
EMAIL reporters@sundaymail.co.uk

## FAMILY DEMAND TO KNOW HOW SHEKU

# We will not rest until we get justice. The people of Scotland should not rest until we get justice

- Kadijata Johnson

by Craig McDonald

**One of the nine officers arresting a dad who died of suspected suffocation weighed 25 stone, it emerged yesterday.**

Sheku Bayoh, 31, stopped breathing after being restrained by officers responding to reports of a man carrying a knife.

They used CS spray, batons, handcuffs and leg restraints.

A source told us the police team restraining him included the officer who was 6ft 4in and 25st - almost twice the weight of the suspect.

We can also reveal officers at the scene in Kirkcaldy feared another colleague had been attacked - when he had accidentally sprayed himself with CS gas.

Scotland's Police Investigations and Review Commissioner (PIRC) is carrying out an inquiry.

The dead man's family yesterday launched their Justice for Sheku campaign at a conference in Glasgow.

They claimed no knife was found on Sheku by police.

And they said officers claimed they feared it could have been a terrorist incident.

Sheku's eldest sister Kadijata Johnson said: "After his death, the lies police told us hurt.

"For us, his family, we will not rest until we get justice. The people of Scotland should not rest until we get justice."

Police were called out after a member of the public dialled 999 around 7am on May 3.

Four officers initially arrived and it's alleged one of them, a female, was

attacked.

They had Sheku on the ground within 45 seconds and another five police arrived a minute later.

It is understood it took a further three minutes for them to call an ambulance.

Sheku was pronounced dead at Kirkcaldy's Victoria Hospital at 9.04am.

His partner Collette Bell, 27, mum to the couple's six-month-old son Isaac, could not face speaking at the launch yesterday.

But his brother-in-law Ade Johnson said: "In the hours after Sheku died we were told so many different stories by police over what happened.

"CID came to our house and we welcomed them in - and all they did was tell us lies.

"The police then kicked Sheku's partner out of her house for two days, saying it was a crime scene. We are still waiting for an apology.

"I believe we must ask, 'Who polices the police? Who are they accountable to?'"

The family's solicitor Aamer Anwar told around 100 people at the campaign launch: "Information was received by the family some weeks ago, including from members of the police, that this was being treated

as a possible terrorist incident by some officers.

"If there was a terrorist incident you would suspect this was not the way to react - one van arriving, followed by another and then a car.

"We know that when Sheku arrived at the hospital unconscious he was still handcuffed with leg restraints in place, which doctors demanded the removal of. We also



QUEST Family lawyer Aamer Anwar



TRAGIC SCENE Where Sheku was held. Left, Collette and Isaac

ask why police were able to take members of Sheku's family from their homes and hold them and treat them as if they were in some way responsible for his death - even before they were told he was dead.

"The family have many questions. What height and weight were the officers - and what exactly were they doing?"

"We understand that three male police officers and one female officer were the first to arrive on the scene in two separate vans and that they engaged with Sheku Bayoh.

"Within 45 seconds, Sheku Bayoh was face down on the pavement -

never to get up again." He added: "The family now know as a fact that when the police arrived, Sheku Bayoh was not carrying a knife.

"Sheku Bayoh was not 6ft plus - he was 5ft 10in. He weighed 12st 10lb. "There was a great deal made about Sheku's height and weight but one of the officers involved in his restraint was 6ft 4in and 25st."

An initial post mortem was inconclusive but it is believed Sheku - known to pals as Sheik - died of positional asphyxiation.

It is understood CS gas was blown back in the face of an officer.

Our source said: "His colleagues

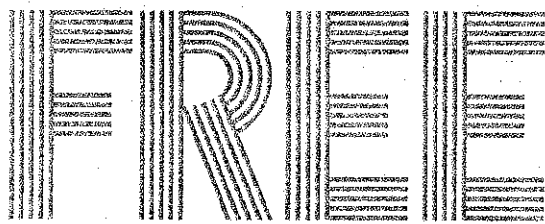
# Sunday Mail

£1.60  
July 26, 2015

## INSIDE PRINGLE UNSPUN



Departing media chief reveals SNP's secret  
PAGES 10&11



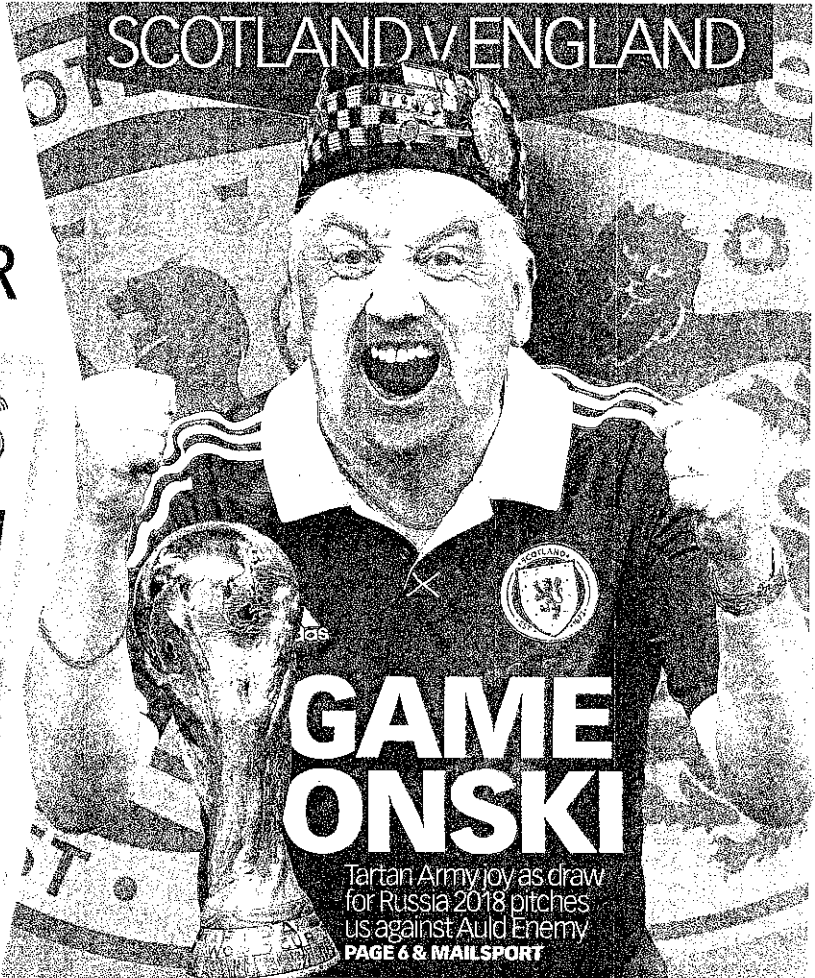
### FIXTURES POSTER

### FIXTURES

INSIDE  
EVERY LEAGUE  
EVERY GAME  
EVERY TEAM



### SCOTLAND V ENGLAND



### GAME ONSKI

Tartan Army joy as draw for Russia 2018 pitches us against Auld Enemy  
PAGE 6 & MAILSPORT

# SHEKU COP IS 25 STONE

HEAVYWEIGHT OFFICER IN FATAL ARREST SQUAD



SUFFOCATION FEARS Sheku Bayoh died after being detained

PAGES 2&3



# Sheku Bayoh's family need to know the truth

Rule of law must apply to those in uniform



COMMENT  
BY AAMER  
ANWAR

**O**N Saturday families of Sean Rigg and Christopher Alder who died in police custody travelled up to support the launch of the Sheku Bayoh Justice Campaign. It was shocking to hear that there have been more than 1,000 deaths in custody in the UK yet not one successful prosecution of a police officer.

All the families spoke of their struggle for justice. They also spoke of a perverse system where those responsible for injustice are essentially the "investigators, arbitrators and prosecutors".

A Tory Home Secretary would never have ordered an independent review into deaths in custody in England and Wales – as Theresa May did last Thursday – had it not been for families such as the Riggs

or the Alders fighting to hold the state to account.

With 11 deaths in police custody since 2013 in Scotland, you are four times more likely to die here in police custody than England but the Scottish Government will not even conduct a similar review to see if there is a problem.

Meanwhile, some believe the Bayohs should shut up and allow an investigation to take place. But whether it be Hillsborough, Jean Charles De Menezes or many others, the experience of families has been to feel utterly betrayed by a system which closes ranks.

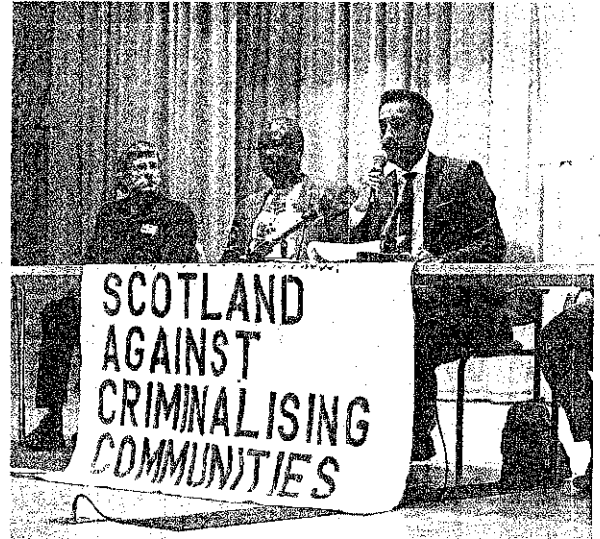
It always takes families such as the Bayohs to expose institutional inhumanity to get to the truth. The irony of a "brutal" Tory Home Secretary accepting there is a problem is not lost on all those who believed in the "social justice" vision of the Scottish Government.

If we really care about human rights in London, Tehran or New York then we need to fight for them here in Scotland too.

As speakers on Saturday said, a cycle of violence is "fuelled by the way the state dehumanises those it harms" creating a narrative seeking to demonise those who then become "undeserving victims" thus deflecting from the real issue of police violence.

In the past 12 weeks there has been a deliberate attempt to paint disturbing images of violence – ascribing to a large six-foot-plus man stereotypical characteristics of superhuman strength, brandishing a knife at police officers in a deliberate attempt to blame Sheku for his own death.

Less than a minute after contact with the police, Sheku Bayoh was face down on the pavement never to get up again. We heard much about Sheku's actions but very little from the police about what 11 officers did



Anwar speaks at the launch of the Justice for Sheku Bayoh Campaign

to him. However, we do know that CS spray, batons, handcuffs, leg and ankle restraints were used by them.

Sheku's family knows his behaviour that morning was completely out of character. They have already said that if he broke the law then of course the police should arrest him. But within the first few days of Sheku's death the Bayohs knew that when the police arrived he had no knife, never "brandished" a knife, nor was one ever found on him.

**P**OLICE officers have a right to defend themselves but any use of force must at all times be lawful, necessary and proportionate in the circumstances. There are so many disturbing details the family cannot disclose to preserve the integrity of the investigation, but Sheku wasn't 6 foot plus, he was 5ft 10in, weighing 12st 10lbs while one of the officers who restrained Sheku is understood to be 25st.

Six officers were involved in restraining Sheku and he rapidly lost consciousness and stopped breathing. Positional asphyxiation is "suspected" and this occurs when someone's position prevents the person from breathing adequately. It is akin to being suffocated by a pillow and any subsequent struggle would be a fight for your last breath.

The family do not understand why nine officers were allowed to sit in one room together for several hours after Sheku's death, while refusing to speak to any senior officers or investigators from the Police Investigations and Review Commissioner (PIRC). In fact statements were not provided for some 32 days. People across the world look to our police service as a good example of what everyone

else should be doing. Yet many people have lost confidence in Police Scotland. They repeatedly fail to deal with the perception of a "culture of impunity" that at best ignores wrong doing and at worst condones it.

It's not good enough for the Scottish Government to say: "We cannot comment on individual cases or ongoing investigations by the PIRC." An investigating body set up to hold the most powerful public body in Scotland to account stands accused of being a toothless body left begging for co-operation.

Until our laws are fundamentally reformed, PIRC will remain incapable of exposing the truth. When a citizen dies at the hands of the police it is only right and proper in a democracy that they are subjected to the most rigorous public and judicial scrutiny.

Unless that happens there is a danger that deaths in custody will not be deterred, but legitimised and institutionalised. The rule of law needs to apply to all citizens and that includes those in uniform. The Bayoh family will accept nothing less than for the PIRC investigation to be robust, transparent and properly effective.

Sheku's mother Aminata told me at his funeral that she wanted people to think of her only son not as a man who died following a struggle with the police, but as a wonderful son, father, brother, uncle and loving partner to Collette.

I cannot begin to imagine the pain of a mother losing her only boy. She asked me, "What were my son's last words?" She has a right to know.

I hope that Sheku Bayoh's name does not fade from memory and that one day it will leave Scotland a legacy that his children can be proud of.

*Aamer Anwar is the family lawyer representing the relatives of Sheku Bayoh*

## ADVERTISING TESTIMONIAL



Like all modern businesses JJR Print hopes to build a profile that widens our customer base.

We believe that our ad campaign in 'The National' generated new enquiries from a new range of potential clients. The online readership is a bonus and we hope to co-ordinate future ad campaigns in tandem with our social media efforts. The publication is a welcome newcomer offering a distinctly different product targeting a new range of media aware consumers.

To advertise your business in The National please contact Jim Bone on 0141 302 6141

**JJR Print**  
PRINT & DESIGN



Officers have a right to defend themselves but any use of force must be lawful, necessary and proportionate



George Kerevan: What would a Corbyn victory mean for independence? 4

MONDAY JULY 27, 2015

# THE NATIONAL

THE NEWSPAPER THAT SUPPORTS AN INDEPENDENT SCOTLAND

50P



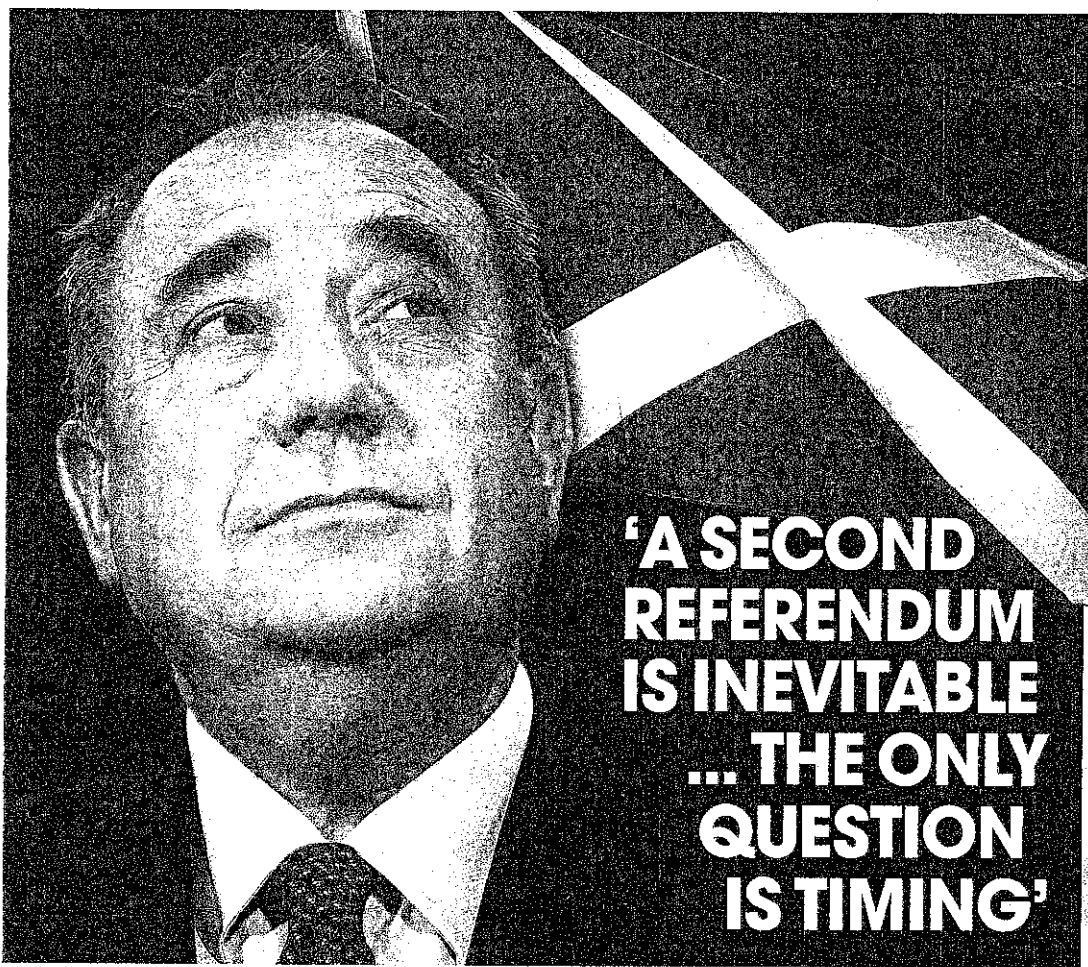
Obama's electrifying speech fires up a generation of Kenyans  
➤ Page 20



Aamer Anwar: We need to know the truth surrounding Sheku's death  
➤ Page 8



Carolyn Leckie: Reparations could help fix the injustices left by slavery  
➤ Page 9



**'A SECOND REFERENDUM IS INEVITABLE ... THE ONLY QUESTION IS TIMING'**



Greg Moodie: Mundell's quest to have a food bank in every town  
➤ Page 15



Scotland's easy-riding, charity-supporting biker gang Page 10 ➤

# Custody death family raises fears

Police watchdog submits interim report into circumstances of case

**BRIAN DONNELLY**  
SENIOR NEWS REPORTER

THE family of Sheku Bayoh have raised fresh concerns over the handling of the case as a police watchdog submitted its interim report on the custody death to the Lord Advocate.

As the initial stage of the investigation was completed, a spokesman for the Police Investigations and

Review Commissioner (Pirc) said "complex lines of inquiry" related to the case will continue to be investigated.

Lord Advocate Frank Mulholland is now examining the first report into the death of the 31-year-old gas engineer in May.

Lawyer Aamer Anwar, who is acting for Mr Bayoh's family, said he had sent 53 fresh points of concern have been sent to the

Crown Office and Pirc. The father of two died in custody after an incident in Kirkcaldy, Fife, in as yet unexplained circumstances involving up to nine officers. A female officer was injured in the alleged incident.

Mr Anwar said: "On a daily basis information continues to be provided in relation to the death and the family urges others who have important information to come forward and contact Pirc in order that justice can be seen to be done. Sadly the devastating experience of having a much-loved relative die in custody has been made



**SHEKU BAYOH:**  
Father of two died in May.

all the worse by the experience of the investigation process especially in the aftermath of Sheku's death, but his family refuse to be silenced until they have the truth."

A spokesman for Pirc said: "The Police Investigations and Review Commissioner has now submitted an interim report to the Crown

Office on its independent investigation into the circumstances surrounding the death of Sheku Bayoh on May 3.

"Our team of experienced and skilled investigators have gathered evidence, taken statements from witnesses and recovered productions and continue to investigate complex lines of enquiry.

"The Commissioner will continue to pursue further expert evidence in relation to the cause of death and is working closely with the Crown Office in this regard.

"The Lord Advocate is now considering the interim report."

A campaign calling for a public inquiry into the death was also earlier launched with the backing of his family.

The Justice for Sheku Bayoh campaign is calling for answers over the incident.

Hundreds of people turned out in Kirkcaldy for Mr Bayoh's funeral in June including his mother Aminata Bayoh, who travelled from Sierra Leone.

The procession stopped for a two-minute silence outside Kirkcaldy police station.

Pirc said it cannot give a timescale for its full report.

## Pass mark in Higher maths in big fall

PASS marks for higher maths exams in Scotland have fallen by 17 per cent during the last decade, raising fears that results are becoming unreliable.

Following the decision to slash the mark needed for a 'C' grade in this year's higher exam to 34 per cent, it has emerged that grade boundaries for the key test have dropped substantially since 2006.

Last year pupils needed 45 per cent for a C grade and 72 for an A, compared to 51 per cent for a C and 78 per cent for an A in 2006.

Scottish Labour education spokesman Iain Gray said: "Pass marks are adjusted every year but for the benchmark to drop over the long term is a concern.

"Highers are our gold standard qualification and ministers must do something to restore confidence."

Scottish Conservative MSP Liz Smith said the reduction was of "serious proportions" and "follows concerns about maths marking in recent years."

She added: "Ultimately, if this continues, it will damage public confidence."

A spokesman for the Scottish Qualifications Authority said that it was unfair to compare this year's exam to previous years as it was a new exam devised under the Curriculum for Excellence.

Separately, the SQA said: "Every year grade boundaries are set according to the demands of the assessments.

"This means those who would have received a grade A, B, C or D last year would achieve the same grade if they had sat this year's exam."

## New plants survey on Ben Nevis

A TEAM of 15 climbers and scientists is planning a second survey next week to try to

# Flower power lures thousands with a little help from blooming marvellous sunshine

50,000 visitors take in Ayr's gardening extravaganza



**RUSSELL LEADBETTER**

If you are going to hold a flower show you can plan the programme and the displays to your heart's content. But the one thing that is generally outwith your control is the weather.

The organisers of the 55th Ayr Flower Show were praying for sunshine for yesterday's opening day. To their delight, the sun obeyed, and shone all day long.

The prolonged sunshine prompted people to turn up in their droves at Rozelle Estate, in Alloway: so many, in fact, that the overflow car park was opened considerably earlier than usual at 11.30am.

Some 10,000 people turned up yesterday, and another 20,000 are expected here today and tomorrow. Today's forecast is good, by the way. "People are sick of a summer that never

food colonnade, customers were tempted by venison, cheese and upmarket olive oil. Opposite was a man selling silk-filled duvets.

The smell of fish and chips mingled in the summer air with the smell of 'fresh hot doughnuts', gourmet burgers and hog roasts.

Clusters of kids enjoyed the demonstration of honeybees staged by Ayr Beekeepers; speaking of wildlife, seagulls wheeled overhead and swooped down onto the outdoor tables where people sat. The only reason for mentioning this was that this year, the birds of prey display hadn't come to Rozelle Park, an absence that gave the seagulls free rein. But the bad news for the gulls is that the birds of prey have been invited to turn up today.

The show relocated from Dam Park, near the centre of Ayr, in 1987. Most of the visitors over the course of this weekend will be Scottish, but the organisers



COLOURFUL: Tezma Ferguson, John Ferguson, Nicole Strain, Alison Harvey and Gillian Harvey in the cut flowers and vegetable marquee. Pictures: Colin Meams

# Revealed: Scottish Government asked police weeks ago about claims it had spied on journalists

BY PAUL HUTCHEON

**F**IRST Minister Nicola Sturgeon has known for over a month about allegations that Police Scotland unlawfully used its spying powers in a bid to identify journalists' sources.

The Scottish Government had the breach confirmed by the single force before a watchdog produced its report into illegal snooping on reporters.

The methods of the Counter Corruption Unit (CCU), which was behind the violation, are understood to be of concern to the Government. The unit's surveillance activities are now being overhauled behind closed doors.

Willie Rennie, the Scottish Liberal Democrats leader, repeated his call last night for a Holyrood inquiry into the controversy.

It emerged last year that police forces across the UK had used surveillance legislation to acquire the records of phone calls, texts and emails of journalists and their sources, prompting human rights concerns.

A law change requires forces to get judicial approval before they can use these data records to identify contact between journalists and their sources.

However, the Interception of Communications Commissioner's Office (IOCCO) last month announced that two unnamed forces had broken the new Code of Practice on judicial approval.

The Sunday Herald revealed last week that Police Scotland was one of the forces and named the CCU - which investigates wrongdoing against officers - as the division responsible.

Police Scotland and the Scottish Government - both of which have refused to deny the breach - were under immense pressure last week to make a statement on the issue.

However, sources have given the Sunday Herald a full account of the Government's knowledge of the breach.

It is understood the Government and Sturgeon learned of the CCU using the snooping law without judicial approval over a week before the IOCCO report came out on July 16.

The Government contacted the single force for an urgent explanation and the breach was confirmed, after which Police Scotland was asked to provide more information.

An insider said the Government has reservations about the CCU and

measures have already been put in place to change the way the Unit handles such issues.

The IOCCO is now investigating a transgression, described as "serious" by the Prime Minister.

Justice Secretary Michael Matheson told the BBC yesterday that the Government would not comment "at this stage" due to the ongoing IOCCO probe.

Reports last week suggested the serious infringement could relate to media investigations into the unsolved murder of prostitute Emma Caldwell.

In April, the Sunday Mail published a nine-page special report into the original Strathclyde Police investigation into the case, which failed to bring the killer to justice. The BBC also broadcast a documentary weeks after the tabloid expose.

Opposition parties now want the Holyrood Justice Committee to launch its own probe. Labour, the Liberal Democrats and the Tories are all believed to support bringing Police Scotland and Government witnesses to Parliament on the issue.

The National Union of Journalists (NUJ) is also advising reporters who write about the police to table a Subject Access Request (SAR) to the force.

A SAR gives citizens the right to all information held on them by organisations.

Hugh Henry, the Scottish Labour justice spokesman, said: "If it's true that Nicola Sturgeon knew about these allegations even before IOCCO reported then it's extremely serious. The First Minister now needs to come clean on her involvement and that of any of her ministers."

Willie Rennie, the Scottish Liberal Democrat leader, said: "That the Scottish Government have known from the beginning but refuse to confirm even the basic facts shows their disregard for open government.

"This is an exceptional case that strikes to the heart of the operations of Police Scotland. That is why Scottish Ministers need to be open about what has gone badly wrong so we can learn the lessons."

A Scottish Government spokesman said: "The investigation of the reported breaches is ongoing and is a matter for IOCCO. The Justice Secretary has outlined in detail why he agrees with IOCCO that it would be wholly inappropriate to make public the identity of the two police forces while their investigation is ongoing. It is therefore not appropriate to comment further while the investigations are ongoing."



left) Adama Jalloh, Kadijata Johnson and Kosna Bayoh

Photograph: Stewart Attwood

a barrage of negative publicity after it was revealed that young children had been searched consensually.

First Minister Nicola Sturgeon set up a review group to consider scrapping the non-statutory power, while the Scottish Human Rights Commission (SHRC) and the United Nations have backed abolition.

In March, HMICS published a critical review into stop and search. However, an earlier draft of the report, which was circulated to stakeholders for a fact check, was even more critical:

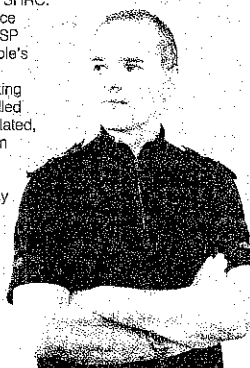
A letter from House to Derek Penman, the HMICS head, asked for a number of changes to be made. In the draft, HMICS stated that consensual searches were not underpinned by a "legal authority or protection". However, House disputed this section and wrote: "It would therefore be helpful and reflect a more balanced approach if any reference to consensual searching

having no legal authority or protection was removed."

In its place, HMICS simply stated that consensual searches are viewed as lacking a legal framework by the SHRC.

Scottish Liberal Democrat justice spokesperson Alison McInnes MSP said: "Some of the Chief Constable's suggested changes to the draft report strayed beyond fact checking and into window dressing. So-called consensual searches are unregulated, lack safeguards and haven't been sanctioned by Parliament."

A spokesman for HMICS said: "These changes did not materially impact on our key findings or recommendations contained within our final report..." Police Scotland Assistant Chief Constable Wayne Mawson said: "It is a matter for HMICS whether it chooses to accept requested changes."





# Police chief meets officers at centre of death in custody inquiry ... but snubs family of victim

**LAWYER HITS OUT AT 'DISGUSTING AND INSULTING' DECISION**  
**EXCLUSIVE BY PAUL HUTCHEON**

**P**OLICE Scotland Chief Constable Stephen House has held secret meetings with the officers at the centre of the Sheku Bayoh death in custody case, the Sunday Herald can reveal.

House met the officers for "welfare" reasons after an independent watchdog had been instructed to investigate the death of the Sierra Leone national in Kirkcaldy. He also paid a home visit to one of the constables, Nicole Short, who is due to stand trial for alleged data protection breaches unconnected to the Sheku Bayoh base.

However, the country's top police officer has not met the Bayoh family, a snub solicitor Aamer Anwar said was "disrespectful, disgusting and insulting".

Bayoh, a father who worked for British Gas, died on May 3 after being restrained by several officers who responded to a call-out on a Kirkcaldy street. It is understood he was handcuffed and put in leg restraints following an altercation with the officers. He died in custody after losing consciousness. Within 24 hours, the Police Investigations and Review Commissioner (PIRC) was instructed by the Crown Office to investigate the circumstances of the death.

The PIRC last week submitted an interim report to the Crown.

On May 14, Anwar and members of Bayoh's family held a press conference in Edinburgh to air their concerns about Police Scotland and the PIRC investigation.

The solicitor said Bayoh's family had been given "five different versions" of events by the force, adding that the family could not understand why the officers had not been "suspended without prejudice".

He has since raised concerns



**Sheku Bayoh died in custody**

that the officers did not provide statements to the PIRC until weeks after the probe began.

The Sunday Herald can now reveal that House met all but one of the officers involved in the incident collectively. He met the other officer, Nicole Short, at her home as she had been injured during the altercation and was unfit for duty due to ill health. The meetings took place after the PIRC was put in charge of the investigation.

Deputy Chief Constable Neil Richardson said: "The Chief Constable met with officers involved in the incident, including the officer who was injured, from a welfare perspective."

At the time of her meeting with the Chief Constable, Short had separately been accused of illegally accessing confidential information on the police computer system in 2012. Her case had first called in September last year. Short was set to appear at Kirkcaldy Sheriff Court this month, but the case was postponed.

Defence lawyer Ross Cameron told the court that Short had been involved in an "incident in Kirkcaldy" that had led to a "complicated medical state". He said: "She maintains her plea of not guilty and her attendance is excused."

A trial is scheduled for December. Aamer Anwar questioned House's judgment in deciding to meet most of the officers collectively.

"This was one of the biggest crises facing Police Scotland and the PIRC, but Stephen House decided it was all right to meet the officers in one room together.

"Why would he do that? The officers should not have been allowed to spend time together. It again casts doubt on the Chief Constable's judgment."

Anwar has now written to the Chief Constable setting out a series of questions about his meeting.

Speaking to the Sunday Herald, Anwar also attacked House for not meeting the Bayoh family: "The family find it disrespectful, disgusting and insulting that the Chief Constable has not agreed to meet them, but did meet the officers."

Hugh Henry, Scottish Labour's shadow justice secretary, said: "It's commendable that the Chief Constable has shown strong support for his staff who feel under pressure. But the Chief Constable also has a duty of care to the public whom he serves. In a controversial case like this, should he not also have reached out to the family of Sheku Bayoh?"

"Not to have done so makes it look as though he has taken sides before the independent investigation has reached a conclusion."

Murdo Fraser, a Tory MSP for Mid Scotland and Fife, said: "I can appreciate the Chief Constable feels in a difficult position over meeting the family, given there is an ongoing inquiry. However, given that he has already met the officers, it seems insensitive not to meet the family."

Brian Docherty, chair of the Scottish Police Federation, said: "Sir Stephen House should be congratulated for showing his support for officers in these tragic circumstances."

A spokesman for the PIRC said: "This is a matter for Police Scotland."



**Campaigning to find out the truth: Sheku Bayoh's sisters (from)**

**Police watchdog waters down critical report ... at House's request**

**BY PAUL HUTCHEON AND TOM GORDON**

A POLICE watchdog watered down a report into stop and search after a personal request by single force Chief Constable Stephen House. HM Inspectorate of Constabulary in Scotland (HMICS) took out a reference to non-statutory searches - or searches carried out without suspicion - lacking a "legal authority" after House asked for the phrase to be removed.

HMICS also tweaked other sections in the report following feedback from the under-fire police chief, who is considered to be the architect of the force's much-maligned Irish policy. Police Scotland has been criticised for recording over 600,000 inisks in the force's first year - proportionately far higher than in any other part of the UK.

However, the most contentious area is that a majority of the searches were non-statutory, meaning they are not rooted in law and are based on supposed consent. The force attracted

JOHN DE LA FAMILIA: WHY ARE WE STILL WAITING TO FIND OUT WHAT HAPPENED? ... FESTIVE

# sunday herald

09 August, 2015

£1.50



**FASHION**

DRAG  
QUEENS  
AND THE  
CON  
AWARDS  
**MAGAZINE**



SMEARS  
AND FEARS  
LABOUR  
GOES  
LOOPY  
**NEWS**



CUBAN  
HEELS  
HAVANA'S  
DANCE  
REVOLUTION  
**MAGAZINE**

## THE PRESSURE MOUNTS

Chief Constable under fire for meeting 'death  
in custody' officers but snubbing victim's family

Scottish Government concern at claims  
police spied on journalists



# OFFICERS IN CUSTODY DEATH PROBE



that they cannot do or say anything as the PIRC are investigating yet here is the chief having a chat with officers at home.

"He should have been nowhere near them."

Deputy Chief Constable Neil Richardson said yesterday: "The chief constable met with officers involved in the incident, including the officer who was injured, from a welfare perspective."

Brian Docherty, chairman of the Scottish Police Federation, who represent officers, said: "Sir Stephen House should be congratulated for showing his support for these officers following this tragic incident."

Meanwhile, the family say they are "disturbed" at the fact another of the officers involved in detaining Mr Bayoh is now off work citing stress. They are seeking



**SCENE** The Kirkcaldy street where Sheku Bayoh, main picture, was restrained by up to nine officers

**He is meeting officers who could end up on very serious criminal charges**

reassurances that officers will not be allowed to resign or 'slip away quietly' as the investigation into the death continues.

Anwar said: "The family would hope that no one is able to avoid or sidestep an investigation or slip away from it on the quiet."

"I have written to Police Scotland on this matter, seeking an explanation, and saying the family wish to know whether the chief constable thinks it was appropriate for him to meet an officer facing an ongoing criminal prosecution and also subject to an independent PIRC investigation which at that point she had failed to give a statement to."

PC Short is said to have been injured in an incident before Mr Bayoh's death after he stopped breathing while being detained.

A court heard last month she is too unwell to stand trial on unrelated data protection charges.

She was due to face trial at Kirkcaldy Sheriff Court this month accused of illegally accessing information on the police computer in 2012.

She denies the charges and is now due to face trial in December.

Her lawyer said she was not fit for trial this month due to a "complicated medical state following on from an incident in Kirkcaldy".

The Police Federation say Short suffered "significant" injuries during the struggle with Mr Bayoh.

It's understood she was discharged from hospital in Kirkcaldy shortly after he was pronounced dead on May 3.

She was one of several officers involved in a struggle in the street with Sheku, 31, before his death.

It is believed he died of positional asphyxiation after being restrained by officers who also used CS gas, batons, handcuffs and leg restraints while detaining him.

Mr Bayoh's family have made a series of complaints over the police's role in the death and their subsequent handling of the case.

They launched their Campaign for Justice for Sheku at a conference in Glasgow a fortnight ago.

Mr Bayoh stopped breathing after being restrained by officers responding to reports of a man carrying a knife although no knife was subsequently found on him.

We told how one officer at the scene feared a colleague had been attacked - when in fact the officer had accidentally sprayed himself with CS gas.

Police were alerted after a 999 call around 7am on May 3. Four officers arrived and it's alleged one, Short, was attacked.

They had Mr Bayoh on the ground within 45 seconds and another five police arrived a minute later.

It is understood it took a further three minutes for them to call an ambulance. He was pronounced dead in hospital at 9.04am.



**INSULTED** Collette with son Isaac

## It's on his watch we were lied to. It's on his watch Sheku died

**Collette Bell reacts to Sir Stephen House's visits to the officers being investigated over her partner's death.**

**How dare the Chief Constable insult us like this.**

**Why would such a clever man secretly meet officers before an investigation into them was finished, what was he up to?**

**Did he think we wouldn't find out? This arrogant man didn't even have the courage or decency to answer our**

**lawyer's questions or tell us if he would meet us. Instead he just ignores us.**

**I don't buy the rubbish that he can't meet me because of an ongoing inquiry, or that he cared about the welfare of the officers.**

**What about my son's welfare - his daddy will never come home.**

**He has no respect for us and up to this day we have had no apology for the way we were treated and the lies told to us.**

**This was the last straw, it's time for Stephen House to go, it's on his watch that Sheku died, it's on his watch that officers lied to me,**

**And it's on his watch that he's been sneaking behind our backs to meet these officers.**



**MISSED** Sheku with Collette



**Inside**

**7 DAYS**

The couple most likely

**Seven Days magazine**

**7 NIGHTS**

**7 NIGHTS & RIGHT AT HOME**

GIGS THEATRE MOVIES  
COMEDY BOOKS GAMES  
ANDREAMCLEANERS  
MOP GARDENS FOOD NEW  
HOMES DIY DONNY BAKING  
GET THE LOOK

**Clarifications & corrections**

Last week, we managed to get a number wrong in the main draw of the National Lottery. The winning numbers were 01, 16, 27, 42, 46, 47, and Bonus Ball 24. Apologies for our error and any inconvenience.

If we have published anything inaccurate, contact the readers' editor on 0141 309 3454, at readerseditor@sundaymail.co.uk or write to Readers' Editor, 1 Central Quay, Glasgow, G3 8DA and, once verified, we'll correct it as soon as we can.

We adhere to the Editors' Code Of Practice as enforced by IPSO, which is contactable at Gate House, 1 Farringdon Street, London EC4M 7LG; www.ipso.co.uk; 0300 123 2220; advice@ipso.co.uk

● If you have a complaint about a potential breach of the Code, we will deal with it directly or IPSO can refer it to us.

Go to www.trinitymirror.com/howto complain where you can view our Complaints Policy. A How To Complain pack is also available by writing to the Legal and Compliance Department, Trinity Mirror PLC, One Canada Square, London E14 5AP.

**2.32**

**LOTTERY**

**GOT A STORY?**

PHONE 0141 309 3232

EMAIL reporters@sundaymail.co.uk

FAMILY'S FURY AFTER CHIEF CONSTABLE VISITS

# Stephen House has not been near us but visits these officers days after Sheku's death and weeks before they finally agree to speak to investigators. What was he thinking? What was he doing?

■ Craig McDonald

**Police Scotland's chief constable met the officers being probed over a man's custody death weeks before they gave statements to independent investigators, we can reveal.**

Dad-of-two Sheku Bayoh died while being restrained by up to nine officers in Kirkcaldy on May 3 and Sir Stephen House spoke to them within days.

He even travelled to Fife to see one, PC Nicole Short, at her home in what the force yesterday described as a "welfare visit".

Despite investigators repeatedly asking for their statements, the officers did not speak to the Police Investigations and Review Commissioner until four weeks after Mr Bayoh's death.

The police watchdog delivered an interim report to the Lord Advocate last week but continues to probe the "complex lines of inquiry" around Mr Bayoh's death and the police's conduct.

House's decision to meet the officers involved was yesterday described as "unbelievable and unacceptable" by the dead man's family.

His partner Collette Bell, 27, mum to the couple's seven-month-old boy Isaac, called for the police chief's resignation, adding: "He has no respect for us and to this day we have had no apology for the way we were treated and the lies told to us on the day Sheku died."



**QUESTIONS**  
Aamer Anwar

"He has ignored us but found the time to visit these officers, while they were still being investigated and before they had even given statements to the investigators."

Family solicitor Aamer Anwar said: "You have to ask just exactly what the chief constable was playing at. What did he think he was doing?"

"He is meeting officers who could, theoretically, end up on very serious criminal charges."

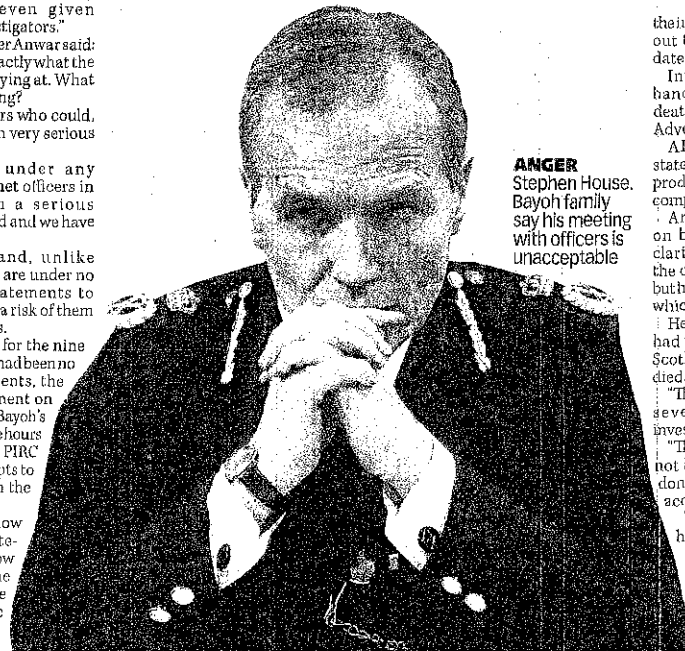
"He should not, under any circumstances, have met officers in the middle of such a serious investigation. But he did and we have to ask why."

Officers in Scotland, unlike colleagues in England, are under no obligation to give statements to investigators if there is a risk of them facing criminal charges.

After lawyers acting for the nine officers suggested there had been no delay in giving statements, the PIRC released a statement on June 4 - 32 days after Mr Bayoh's death - stating: "Since the hours following his death the PIRC has made several attempts to secure statements from the arresting officers."

"Those officers have now agreed to provide statements to the PIRC and now that the PIRC is in the process of gathering the material, it will be considered along with

- Sheku Bayoh's partner Collette Bell yesterday



**ANGER**  
Stephen House, Bayoh family say his meeting with officers is unacceptable

the information already gathered throughout the course of the investigation to date."

Investigators said on Friday they'd handed over an interim report on the death. It is now being considered by Lord Advocate Frank Mulholland.

A PIRC spokesman said: "We have taken statements from witnesses and recovered productions and continue to investigate complex lines of inquiry."

Anwar said he had previously asked, on behalf of Mr Bayoh's family, for clarification from the force on whether the chief constable had met the officers but had received a letter from a force lawyer which had not answered the question.

He said yesterday: "The officers involved had refused to speak to a senior Police Scotland officer in the hours after Sheku died."

"They had also subsequently refused, several times, to speak to PIRC investigators."

"The chief constable is going in there not knowing what these officers have done or what they may subsequently be accused of."

"I believe it shows poor judgment on his behalf. It was a bad decision."

"One officer was subject to criminal proceedings on another matter and was also being investigated by the PIRC over a death in custody."

"We keep hearing from police



## Revealed CHIEF'S SECRET TALKS WITH SHEKU GOPS

Stephen House visits police probed over custody death **Pages 6&7**



Inside



**Collins**  
Celts don't get tested in Scotland

Coach says Scots rivals don't prepare the club for Europe

BACK PAGE

**SAVE £10**

at **Frankie & Benny's**

Get £10 off your bill after ordering two main courses



PAGE 40



**SEVEN DAYS**  
Scotland's favourite magazine

## Exclusive George Square family's fury at Crown

# BETRAYAL

### Relatives break silence

Driver should have been charged and still should be

Inquiry is a whitewash to cover prosecutors' backs



**Loss** The family of Jacqueline Morton, above, one of the six people killed in George Square, below, speak out today



**BIN LORRY TRAGEDY FAMILY FEAR NO JUSTICE FOR VICTIMS PAGES 2&3**



SIR STEPHEN HOUSE: Accused of holding 'secret' meetings.

## Police chief backed after visiting Bayou restraint officers

SCOTLAND'S under-fire Chief Constable has won support after being accused of holding "secret" meetings with officers under investigation over a death in custody.

Sir Stephen House spoke to the men and women involved in restraining father-of-two Sheku Bayoh before he died in Kirkcaldy in May this year.

Aamer Anwar, the lawyer acting for Mr Bayoh's family, described the meetings as "disrespectful, disgusting and insulting".

Sir Stephen, he said, had not met with Mr Bayoh's partner or other family members.

However, police staff associations have dismissed such criticism, stressing that it is routine for chief officers to meet colleagues involved in traumatic incidents and that such meetings are not "secret".

Sir Stephen travelled to Fife to meet Nicole Short, who suffered head injuries during the incident. She is currently in rehabilitation.

Chief Superintendent Niven

Rennie, president of the Association of Scottish Police Superintendents, said: "We would expect the chief constable to visit a member of staff who had been hurt in such a traumatic event. We don't see anything out of the ordinary in this."

"On welfare grounds you would always expect a chief officer, either the chief constable or one of his deputies, to speak to his or her officers."

Mr Bayoh, a father who worked for British Gas, died on May 3 after

being restrained by several officers who responded to a call out in a Kirkcaldy street.

It is understood he was handcuffed and put in leg restraints following an altercation with the officers. He died in custody after losing consciousness.

Within 24 hours, the Police Investigations and Review Commissioner (Pirc) was instructed by the Crown Office to investigate the death.

Pirc last week submitted an

interim report to the Crown. The Scottish Police Federation has already said it does not expect any of its members to face charges.

Mr Anwar, however, said that it was "theoretically" possible that one or more of the officers involved could face disciplinary action in the future over the case.

Mr Anwar said: "Sir Stephen should not, under any circumstances, have met officers in the middle of such a serious investigation."

## Queen in church as claims of death-plot surface

THE Queen has attended church near Balmoral as reports surfaced of an alleged jihadi plot to kill her at an event to mark the 70th anniversary of Japan's surrender in World War Two.

She attended Crathie Kirk with Prince Charles as it was reported that Syria-based Islamic State (IS) extremists had been planning to blow her up at events to mark Victory over Japan (VJ) Day in London on Saturday which will be watched by a world-wide TV audience.

She is due to take part with the Duke of Edinburgh, veterans, former prisoners of war and civilian internees. The Prince of Wales and Duchess of Cornwall will be joined later by senior political and military figures, veterans and their families for a special commemorative event at Horse Guards Parade that features a fly-past.

The Metropolitan Police has encouraged people to continue with plans to attend celebrations to mark the anniversary of the end of the Second World War despite reports that British jihadis were planning to blow up the Queen during the events.

Claims have been made that extremists aim to explode a bomb in central London during events to mark the 70th anniversary of VJ Day which are expected to be watched by a crowd of thousands.

Sources reportedly said that a specific threat was made against the Queen, triggering a review of security arrangements.

A Metropolitan Police spokesman said: "Our priority is the safety and security for all those attending or involved. The public are encouraged to continue with their plans to attend or take part in events as normal."

Teacher's

# No-one jailed in five years for failing to pay their TV licence

### In contrast, 39 people were locked up in England and Wales in past 12 months for evading £145.50 levy

DAVID LEASK  
CHIEF REPORTER

NOBODY has been jailed for failing to pay their TV licence in the past five years in Scotland while scores have been locked up in England and Wales.

The stark reminder of differing justice policies north and south of the Border comes as Tory ministers in Westminster consider decriminalising those who evade the BBC levy.

Senior figures in the corporation fear that removing the threat of jail will lead to more people shunning the payment, seen by some as a TV tax.

However, figures obtained under the Freedom of Information Act, suggest that in Scotland there is already no real risk of prison thanks to reforms carried out under the both old Labour-Liberal Democrat Scottish Executive and the current Scottish Government.

Scottish courts do not jail anybody who has failed to pay a fine of less than £500, including the kinds of penalties imposed on those who dodge the TV licence which is currently £145.50 per year.

There is a presumption against sentences of under three months of the kinds being dished out south of

north of the Border, compared with £170 south.

So English fines are higher than the fee, while Scotland fines are about half of the fee.

More than 400,000 UK households last year opted out of a TV licence.

People can declare that they do not watch live broadcast programmes and view them only on catch-up services like the BBC's iPlayer.

People who only watch DVDs or videos on their TVs are also exempt.

A spokesman for TV Licensing said: "We enforce the law in Scotland by taking a statement from those who evade, as it does in the rest of the UK."

"Subject to the usual evidential and public interest tests, cases are then sent for prosecution to the Procurator-Fiscal who decides how cases are dealt with."

"In the vast majority of cases, the

**“ In the vast majority of cases, the Procurator Fiscal levies a fixed**

### BBC FACTS AND FIGURES

- Number of people jailed for not paying their licence fee in last five years: 0
- Average hourly cost of producing BBC Radio Scotland per listener: 6.5p
- Share of BBC employees in Scotland: 7%
- Proportion of Gaelic speakers who watched BBC Alba at least once a week: 72.6%
- Number of unique users who visited the BBC Scotland news site during the week of last year's independence referendum: 13.2m
- Percentage of English who think BBC is good at reflecting their life: 48%
- Percentage of Scots who think the BBC is good at reflecting their life: 61%
- Percentage of English who think BBC is good at reflecting their life: 76.1%
- Proportion of Scots who watch BBC One: 76.1%
- Number of people who watched Glasgow-made: 9.7m

# Politicians demand police meeting over Bayoh case

Pressure mounts on House to meet family lawyer

BY GREG RUSSELL

**E**MBATTLED Chief Constable Stephen House was facing more pressure last night as two SNP politicians pushed for a meeting with the Justice Secretary over Police Scotland's handling of the case of Sheku Bayoh.

The father-of-two died on May 3 after being restrained by several officers who responded to a call out in a Kirkcaldy street. His death is the subject of an inquiry by the Police Investigations and

Review Commission (PIRC), Kirkcaldy and Cowdenbeath MP Roger Mullin, and his Holyrood colleague David Torrance, the MSP for Kirkcaldy, want to discuss the case – and other concerns about the single police force – with Michael Matheson.

Their call followed a letter sent to Mullin by a deputy chief constable in response to a letter Mullin had sent House asking for a meeting with him and the Bayoh family over the way they had been treated. Mullin wrote to House on July 20, but only received a reply three weeks later from Deputy Chief Constable (designate) Neil Richardson, turning down the request. Although the letter was dated July 30, it was posted second class on August 5, and received two days later.

"I find it unacceptable that Police Scotland have taken so long to respond to an urgent request from me for a meeting regarding their dealings with the Sheku Bayoh family," Mullin told The National.

"I was made aware in July through contact that a member of the Police Federation had made with a fellow MP that it would be unlikely that the Chief Constable would agree to a meeting.

"That such comments were circulating well before I received the courtesy of a reply I think is an unfortunate way to conduct business."



Concerns: David Torrance MSP, left, and Roger Mullin MP

He added: "I think the fact they sent a letter of so-called explanation that suggests they have an inability to read the short letter I sent them in the first place is not encouraging. And it adds to the sense of this is being very badly managed by the police.

"It strikes me as an inappropriate way of dealing with people. I feel this is a very dismissive way to deal with a reasonable request and I find it totally unacceptable and inappropriate."

Aamer Anwar, the Glasgow lawyer who is representing the Bayoh family, said he could not understand why House thought it inappropriate to meet the family because it may "jeopardise the outcome of the PIRC investigation". Yet, he said he was willing to meet with the police officers were involved in the case.

In a letter to House last night, he wrote: "Can you advise why you consider it acceptable to meet eight police officers collectively and another in her home, but claim that meeting the Bayoh

family who had absolutely no involvement in Mr Bayoh's death could 'potentially jeopardise the outcome of a PIRC investigation'?"

Anwar said he was making a freedom of information (FoI) request to have the question answered, along with several others. Anwar told The National: "Police Scotland... seems to be going from one disaster to the other and not restoring public confidence. They need to be held to account."

He added: "The Chief Constable is an irrelevance at this time – the issue is Police Scotland and the question of accountability and transparency. They can't continually fob off members of the public with stock responses or simply not answering. We're still waiting for answers to the family's questions. They've been treated disrespectfully with no response from the Chief Constable to say when he'll meet them."

Deputy Chief Constable Neil Richardson said in a statement: "We had written to Mr Mullin to explain the reasons we were not able to meet at this time given the ongoing inquiry and followed this up in a telephone conversation yesterday."

A Scottish Government spokesperson said: "We have received the invitation from Mr Mullin and Mr Torrance and the Cabinet Secretary will respond to this in due course."

The Herald  
**FASHION** AWARDS

#Introducing  
Scotland's  
only dedicated  
awards for  
the online  
world of  
fashion

**NOW OPEN  
FOR  
ENTRIES**

Now in their second year, these online fashion awards celebrate the digital world of fashion and the top companies, designers, bloggers, entrepreneurs and retailers who are leading the way in the online market.

If you have something trending in the Online World of Fashion that is creating a buzz, then let us know and we hope to see you at the awards gathering on Sunday, November 15, 2015.

To see the full range of categories, and to enter, visit:  
[www.HeraldFashion.co.uk](http://www.HeraldFashion.co.uk)

**Entry deadline is  
Thursday,  
September 17, 2015.**

You can follow all news on this event using #heraldfashion

## Cat burns one life as unwilling tourist

A CAT has survived a 150-mile journey stuck in a car engine compartment after trying to avoid the rain.

Darcy is thought to have hidden in the Mercedes Benz and became stuck, the RSPCA said yesterday.

The owner of the car then did a round trip from Cannock to Manchester and discovered an engine warning light flashing on their dashboard after the trip.

Staff at the Fix Auto at Crossfield Industrial Estate, Lichfield, found Darcy after taking a test drive and noticing a burning smell.

Lee Langley, the technician who discovered Darcy, said: "The poor thing looked absolutely petrified. Who knows how long he had been stuck."



Purr-fect passenger: Darcy

## Report slams asylum centre

**CONTROVERSIAL** immigration detention centre Yarl's Wood has been labelled a "place of national concern" after a scathing report revealed conditions have deteriorated.

Inspectors found dozens of pregnant women have been held at the facility in Bedfordshire against UK Government policy, while some are being held for more than a year because of "unacceptable" delays in processing their cases.

In one case a woman had been held for 17 months.

The prisons watchdog also found it understaffed.



# Bayoh report 'at odds' with family claims

By Graham Grant  
Home Affairs Editor

A WATCHDOG'S report into the death of a father of two in police custody raises questions over his family's claims of officers' brutality, the Mail has learned.

Sheku Bayoh, 31, was arrested on May 3 after police said they responded to reports of a man brandishing a knife in Kirkcaldy, Fife, and claimed that a female officer was injured.

Call centre worker Mr Bayoh later died in circumstances which remain unclear. A probe by the Police Investigations and Review Commissioner (PIRC) is taking place, but it is understood that an interim report recently handed to Lord Advocate Frank Mulholland undermines some of the claims by the Bayoh family.

Last month the family's lawyer, Amer Anwar, said: 'In the past 12 weeks there has been a deliberate attempt to paint disturbing images of violence - ascribing to a large 8ft-plus man stereotypical characteristics of superhuman strength, brandishing a knife at police officers in a deliberate attempt to blame Sheku for his own death.'

'Less than a minute after contact with the police, Sheku Bayoh was face down on the pavement never to get up again. We heard much

## POLICE FACING PROBE

SCOTLAND'S single police force is facing a secret investigation into a series of failings.

Ministers have asked academics to review the performance of Police Scotland following high-profile controversies including armed police officers on routine patrol, increasing use of stop and search and the M9 crash scandal.

The Scottish Institute for Policing Research has been awarded the £270,000 contract.

Scottish Lib Dem Justice spokesman Alison McInnes said: 'The SNP Government must commit to making the findings public.'

about Sheku's actions but very little from the police about what 11 officers did to him. However, we do know CS spray, batons, handcuffs, leg and ankle restraints were used by them.'

But a source close to the probe said: 'The interim report takes a

### 'A much more balanced view'

much more balanced view and shows there is a lot that Mr Anwar simply hasn't mentioned.

'It's fair to say no one emerges from it without a blemish - in a

case of this kind, that's unlikely. But the PIRC report shows there was a lot more to the situation than has been claimed.'

'The cause of death remains undetermined, so some claims that Mr Bayoh may have died from positional asphyxia [where the body position prevents breathing] are unsubstantiated.'

Scottish Police Federation chairman Brian Docherty said recently that 'innuendo' while the investigation is taking place 'adds nothing other than to the pain and grief of the family'.

He added: 'A female officer responding to a call of a man brandishing a knife was subject to

a violent and unprovoked attack by a large male.'

The Bayoh family claimed it was ten hours before his partner, Colette Bell, 27, was informed that he had died. Mr Anwar said the family had raised 53 points of concern to the PIRC and the Lord Advocate which they expect to be addressed before a report is finalised.

A PIRC spokesman declined to comment on the content of the interim report, saying: 'Our team of investigators have gathered evidence, taken statements from witnesses and continue to investigate complex lines of inquiry. The Lord Advocate is now considering the interim report.'



Probe: Sheku Bayoh and partner Colette Bell

## Saved, the willow that blossomed into a town

By Tim Bugler

IT HAS stood at the heart of a community for 200 years while a town took root around it.

Now Carnoustie's founding willow tree is to be made subject to a preservation order after an 18-year battle by local people.

The 'crack', or 'cricket bat' willow, sandwiched unpossessively between a back lane and a disused public toilet, is regarded as the heart of the Angus town.

It is said to have grown from a garden planting tool, or 'dibble', left in the ground by the first man to feu a plot on what had been regarded as an inhospitable piece of coastline.

The willow took root in 1797 when shipwright and salmon fisher Thomas Lowson decided to settle down. He built a house and the Dibble Tree became a symbol of the newly-founded town.

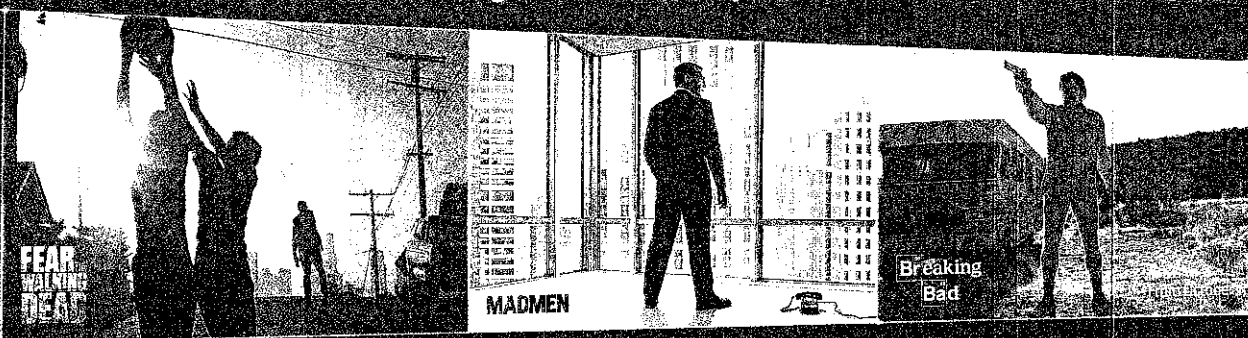
Mr Lowson's great-great-grandson, Davie Lowson, 94, still lives in First Feu Cottage, named in commemoration of his ancestor's founding role.

Willows do not usually live for more than 150 years but the Dibble Tree survived a 19th century lightning strike that split its trunk. It stands more than 30ft tall and nearly 20ft across at the crown.

Angus councillors will be asked to approve a conservation order this week.

The move was suggested by Angus provost Helen Oswald, who said: 'It's such an integral part of how Carnoustie came to be. It would be a tremendous shame to see it damaged or taken down.'

## A new award-winning US drama channel, exclusively from BT.



The US network behind global sensations Breaking Bad and Mad Men launches on Friday 28th August.

Catch the eagerly anticipated original series, Fear the Walking Dead, Mondays at 9pm.

Free for our BT TV customers.  
[bt.com/amc](http://bt.com/amc)

amc

Big entertainment. Tiny prices.

BT





ALISON JOHNSTONE: Greens spokeswoman called for reforms.

## Greater tax powers 'would boost council poll turnout'

GERRY BRAIDEN

HANDING Scots councils powers to raise their own taxes would boost turnout at local elections and give them autonomy other countries take for granted, it has been claimed.

As a leading thinktank unveils radical new plans to allow authorities to scrap the council tax and replace it with a range of alterna-

tive levies, opposition parties have accused ministers of lying the hands of local government.

On the back of the report, the LibDems have called for Scottish councils to be given the power to raise as much as 50 per cent of what they spend.

The Greens described the council tax, frozen since 2007, as "regressive". Reform Scotland is calling for an

overhaul of how local government is financed, saying Scotland's 32 councils should be given complete control over local taxation via a raft of alternatives. These include land value, sales and other property taxes.

Under its proposals, local authorities could set their own council tax and business rates or scrap them altogether and raise cash through other taxation.

Citing the OECD, it said countries of a similar size such as Denmark, Finland and Norway had substantially more tax income controlled locally.

It said that devolving more financial powers to councils would make them less dependent on central government grants.

Alison Johnstone MSP, the Scottish Greens' local government spokeswoman, said only 10 per

cent of local government revenue was from local taxation.

This is compared to an EU average of more than 40 per cent.

She added: "Iceland, with a population of just 300,000, has 79 local authorities which raise 92 per cent of their own revenue."

"Turnouts at local elections are above 80 per cent - a level of engagement in local government we can only dream of."

## Family to meet Lord Advocate over death in custody

THE family of Sheku Bayoh, who died in police custody, are to meet Lord Advocate Frank Mulholland this week as their lawyer attacked claims a report into the case is "at odds" with their account of what happened.

Father-of-two Mr Bayoh, 31, died in custody after an alleged incident in as yet unexplained circumstances involving up to nine officers in Kirkcaldy, Fife.

A female officer was injured in the incident, which began at around 7am on Sunday, May 3.

Amner Anwar, lawyer for the Bayoh family, claims that excessive force was used by police. He said Mr Bayoh had not been carrying a knife when he was arrested, although it is understood a knife was found 10 yards from the scene of the arrest and said the family was concerned over claims said to be about the interim report by the Police Investigations and Review Commissioner (Pirc) on the case.

He said: "The family will meet with the Lord Advocate this Wednesday."

He added that the family are right to wonder why claims were being made publicly about the private report. It was also reported Mr Anwar had not disclosed all available information.

It was claimed the report shows "there was a lot more to the situation than has been claimed". Mr Anwar said: "On one thing they are right - a great deal of information has not been disclosed on behalf of the family, including serious concerns that are being considered now by the Lord Advocate."

Pirc was told to investigate Mr Bayoh's death and it provided an interim report to the Lord Advocate, which he has been considering.

# No restrictions at Scottish air show as crash toll rises to 20

## Crackdown in wake of disaster will not apply to Prestwick event

HELEN MCARDLE  
TRANSPORT CORRESPONDENT

SAFETY restrictions banning vintage aircraft from performing loop-the-loops and other aerobatic stunts over land will not affect the Scottish Airshow next month, organisers have said.

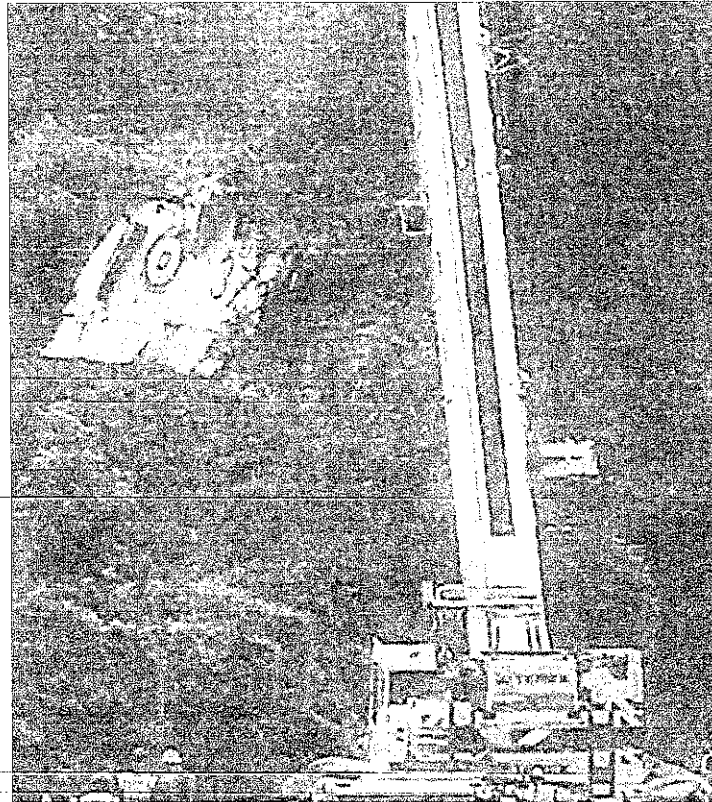
The Civil Aviation Authority (CAA) announced a crackdown on UK air shows while the authorities continue to investigate the Shoreham air disaster, which is believed to have killed up to 20 people.

The CAA said vintage jets would be limited to flypasts over land "until further notice", meaning that the sort of high-energy aerobatics which ended in tragedy on Saturday will be prohibited.

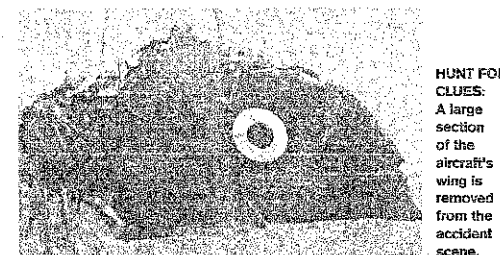
The regulator added that it will "conduct additional risk assessments on all forthcoming civil air displays to establish if additional measures should be introduced".

However, Doug Maclean, spokesman for the Scottish Airshow Ltd, said the Prestwick spectacular would be able to go ahead as planned since all stunt flights are performed over the sea off Ayrshire.

The two-day event, which was relaunched for the first time in 22 years last year, is due to take place



DEVASTATING: The moment of impact when the Hawker Hunter hit traffic.



HUNT FOR CLUES: A large section of the aircraft's wing is removed from the accident scene.



## Bridge smash tourists have



ALISON JOHNSTONE: Greens spokeswoman called for reforms.

## Greater tax powers 'would boost council poll turnout'

GERRY BRAIDEN

HANDING Scots councils powers to raise their own taxes would boost turnout at local elections and give them autonomy other countries take for granted, it has been claimed.

As a leading thinktank unveils radical new plans to allow authorities to scrap the council tax and replace it with a range of alterna-

tive levies, opposition parties have accused ministers of tying the hands of local government.

On the back of the report, the LibDems have called for Scottish councils to be given the power to raise as much as 50 per cent of what they spend.

The Greens described the council tax, frozen since 2007, as "regressive".

Reform Scotland is calling for an

overhaul of how local government is financed, saying Scotland's 32 councils should be given complete control over local taxation via a raft of alternatives. These include land value, sales and other property taxes.

Under its proposals, local authorities could set their own council tax and business rates or scrap them altogether and raise cash through other taxation.

Citing the OECD, it said countries of a similar size such as Denmark, Finland and Norway had substantially more tax income controlled locally.

It said that devolving more financial powers to councils would make them less dependent on central government grants.

Alison Johnstone MSP, the Scottish Greens' local government spokeswoman, said only 10 per

cent of local government revenue was from local taxation.

This is compared to an EU average of more than 40 per cent.

She added: "Iceland, with a population of just 300,000, has 79 local authorities which raise 92 per cent of their own revenue.

"Turnouts at local elections are above 80 per cent - a level of engagement in local government we can only dream of."

## Family to meet Lord Advocate over death in custody

THE family of Sheku Bayoh, who died in police custody, are to meet Lord Advocate Frank Mulholland this week as their lawyer attacked claims a report into the case is "at odds" with their account of what happened.

Father-of-two Mr Bayoh, 31, died in custody after an alleged incident in as yet unexplained circumstances involving up to nine officers in Kirkcaldy, Fife.

A female officer was injured in the incident, which began at around 7am on Sunday, May 3.

Aamer Anwar, lawyer for the Bayoh family, claims that excessive force was used by police. He said Mr Bayoh had not been carrying a knife when he was arrested, although it is understood a knife was found 10 yards from the scene of the arrest and said the family was concerned over claims said to be about the interim report by the Police Investigations and Review Commissioner (Pirc) on the case.

He said: "The family will meet with the Lord Advocate this Wednesday."

He added that the family are right to wonder why claims were being made publicly about the private report. It was also reported Mr Anwar had not disclosed all available information.

It was claimed the report shows "there was a lot more to the situation than has been claimed". Mr Anwar said: "On one thing they are right - a great deal of information has not been disclosed on behalf of the family, including serious concerns that are being considered now by the Lord Advocate."

Pirc was told to investigate Mr Bayoh's death and it provided an interim report to the Lord Advocate, which he has been considering.

# No restrictions at Scottish air show as crash toll rises to 20

## Crackdown in wake of disaster will not apply to Prestwick event

HELEN MCARDLE  
TRANSPORT CORRESPONDENT

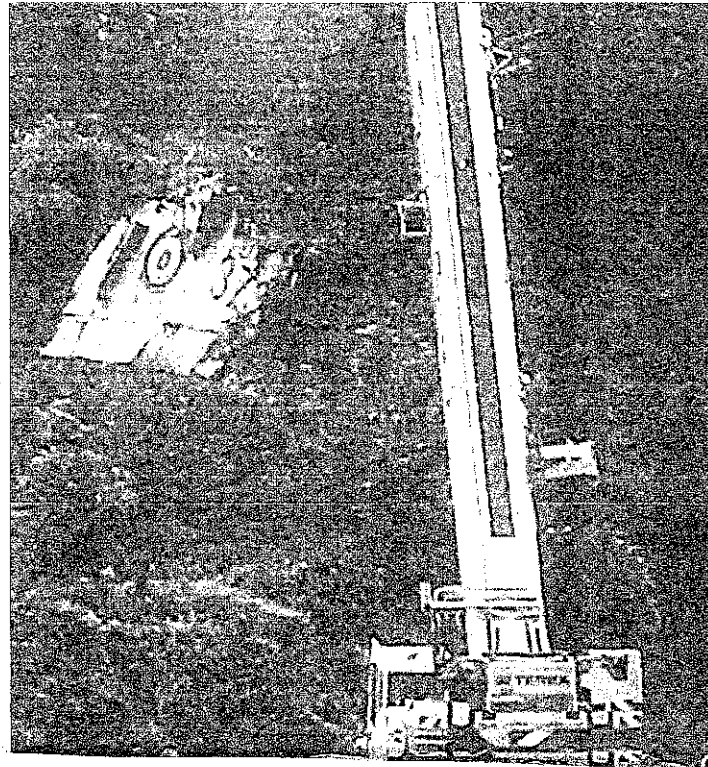
SAFETY restrictions banning vintage aircraft from performing loop-the-loops and other aerobatic stunts over land will not affect the Scottish Airshow next month, organisers have said.

The Civil Aviation Authority (CAA) announced a crackdown on UK air shows while the authorities continue to investigate the Shoreham air disaster, which is believed to have killed up to 20 people.

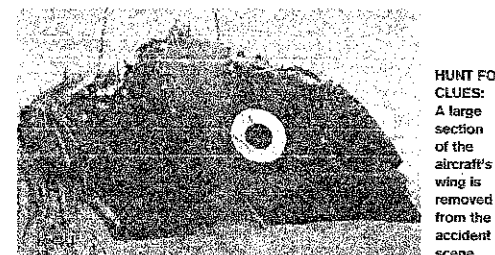
The CAA said vintage jets would be limited to flypasts over land "until further notice", meaning that the sort of high-energy aerobatics which ended in tragedy on Saturday will be prohibited.

The regulator added that it will "conduct additional risk assessments on all forthcoming civil air displays to establish if additional measures should be introduced".

However, Doug Maclean, spokesman for the Scottish Airshow Ltd, said the Prestwick spectacular would be able to go ahead as planned since all stunt flights are performed over the sea off Ayrshire.



DEVASTATING: The moment of impact when the Hawker Hunter hit traffic.



HUNT FOR CLUES: A large section of the aircraft's wing is removed from the accident scene.



## Bridge smash

# Bayoh family's dismay after probe fails to find cause of custody death

CHRIS MARSHALL  
HOME AFFAIRS CORRESPONDENT

INVESTIGATORS probing the death of a man in police custody nearly four months ago have yet to determine how he died.

The family of Sheku Bayoh yesterday met Lord Advocate Frank Mulholland following the submission of an interim report by the Police Investigations and Review Commissioner (Pirc) earlier this month.

Mr Bayoh, 31, died following an incident in Kirkcaldy on 3 May during which a female officer was also injured.

The Crown Office yesterday said there remained a "number of complex issues" relating to the cause of Mr Bayoh's death.

It followed a meeting between the Lord Advocate and members of Mr Bayoh's family, who said they had "lost confidence" in the Pirc investigation.

The family's lawyer, Aamer Anwar, said: "There has been much speculation about the cause of death, which is still to be determined."

"The possibility of positional asphyxiation didn't come from the family but came directly from the Crown. The family is concerned the investigation has focused all of its energy on everything apart from what the police did to restrain Sheku Bayoh."

Mr Anwar claimed six officers had been involved in the incident, during which they used handcuffs and ankle restraints.

He added: "The family informed the Lord Advocate that 16 weeks after the death of Sheku Bayoh in police custody they have lost confidence in the Pirc investigation."

It has been suggested that a Fatal Accident Inquiry will be held into Mr Bayoh's death, but Mr Anwar said the family did not regard an FAI as "a panacea".

In a statement released through her lawyer, Mr Bayoh's partner, Colette Bell, said: "I believe that if the police hadn't treated my Sheku the way they did, he would be here today. I



Sheku Bayoh's partner Colette Bell, second from left, with lawyer Aamer Anwar arrive to meet the Lord Advocate  
Picture: Steven Scott Taylor

am fed up of the lies and the attempt to blame Sheku for his own death."

A Crown Office spokesman: "There remains work to be done by Pirc before their investigation is complete. The Crown will take the Pirc report into account when carrying out its own investigations and will assess whether or not there should be a criminal prosecution."

"In order for any criminal prosecution to happen, there must be sufficient evidence that a crime has been committed."

"The family have been advised, by the Lord Advocate, that as part of the ongoing investigation there are a number of complex issues relating to the cause

of death and experts in the field have been instructed to assist in dealing with these issues.

"The Lord Advocate has reiterated the undertaking previously given to the family that the enquiry will be thorough and completed as soon as is possible."

A spokesman for the Pirc added: "On 7 August, the Commissioner delivered an interim report of the investigation's findings which are now being considered by the Lord Advocate. The Commissioner continues to work closely with the Lord Advocate to investigate complex lines of enquiry, including gathering further expert opinion in relation to the cause of death."

## Unison calls for police to issue staff survey results

LYNSEY BEWS

POLICE Scotland has faced fresh calls to immediately publish the findings of a major staff survey.

Trade union Unison said its members are angry the results of the survey, which closed two months ago, have been "delayed for so long".

Its call for publication comes after Scottish Labour insisted that full transparency was needed to help address "the big problems" faced by officers and staff.

Police Scotland, created in April 2013, has been hit by various controversies in recent months.

Unison branch secretary George McIrvine said: "It was disappointing the workforce had to wait two years before the employer finally agreed to conduct a staff survey, without having to wait even longer for the findings. "Unison police branch worked with Police Scotland to shape the survey and ensure the feedback was relevant and accurate, however, there has been 'radio silence' from them for over four weeks. We have consistently asked that they present the findings as soon as possible."

A Police Scotland spokesman said: "The results are currently being analysed by an independent organisation and, as planned, the results will be published as soon as possible."

Advertising feature

## "XUN" BRINGS CHINESE NEW PHYSICAL THEATRE TO EDINBURGH

By Sophie Feng



Xun, a sensational Chinese physical theatre, has performed in Edinburgh during 7th to 11th of August has received an unparalleled reviews. Performed by the "X Team" from National Academy of Chinese Theatre Arts.

Yuge XIN, the director, has created this new model of Chinese drama performance - "Physical Theatre" at 2009, a model fully embedded with his experience and controversial thoughts for the past decade. He tried to demonstrate the ways of "opposition" to his audience in "Xun" by taking a pioneering approach of combining the movements of traditional Chinese drama with modern western music.

Xun is a beautiful Chinese physical theatre show set to a western sound track and centred around two lovers who's feuding and flirting is expressed in motion as both are masked. The young cast perform with huge energy, passion and skill and clearly trained for many years before any rehearsals for this show. The audience loved it as did all three of the guests from the City of Edinburgh Council. We look forward to welcoming the group back to Edinburgh in future with their next work. — Councillor Jim Orr Judge for "Asian Arts Awards"

The performance which was based on the traditional theme of Ying and Yang had me spellbound for its duration of seventy minutes...The expressions on the masks set the tone for the performance: peaceful;

loving but full of energy and action.

The physicality of the performance contrasted beautifully with the artistic blend of dance of the leading female performer. Both of which matched the choice of music by Celine Dion and Michael Jackson superbly. All members of the Group performed really well combining dance with gymnastic movements at the highest level. — SNP Councillor Denis Dixon

I very much like Director Yuge Xin's idea of mixing traditional art of Chinese Opera movement and acrobatics with contemporary dance. I believe that it could be possible toured it in the UK and Europe. The concept of Yin and Yang, which split into two halves disturbs the balance of, presented as a love story is fantastic...The show works very well with western pop music. The rhythms help to understand the meaning of movement, the Director Yuge Xin managed to create a real easy to understand introduction to a bases of modern understanding of Taoism with contemporary sensibilities, of being neither Western nor Eastern but to simply global. — Tomek Borko CEO & Artistic Director Universal Arts

The Director, Yuge XIN, will bring his new production "Xun" to the UK audience next year.

## Docherty's 'sloppy desserts' lead to Great British Bake Off heartache

ALBERTINA LLOYD

CHILD welfare officer Sandy Docherty has become the fourth contestant to leave *The Great British Bake Off* after serving up sloppy desserts.

The 49-year-old from Bradford left a sour taste in the mouth of judges Paul Hollywood and Mary Berry with her runny crème brûlée and raw cheesecake.

Docherty said: "My crème brûlée not setting was gob-smackingly shocking. There was no-one more surprised than me when Paul cracked it and it wasn't set. It's never happened before, and I should have raised the oven temperature."

Hollywood called her brûlée



Sandy Docherty latest to exit *The Great British Bake Off*

custard "soup" and joked she must have forgotten to turn the oven on, while her unusual liquorice flavouring did not go down well with Berry.

While preparing the pastry base for her baked cheesecakes

in the Showstopper challenge, Docherty had said: "When you're at competition level, you've got to get it right."

"I don't want Mary and Paul saying that I haven't tried, I want them to say, 'This is so beautifully crisp and buttery.'"

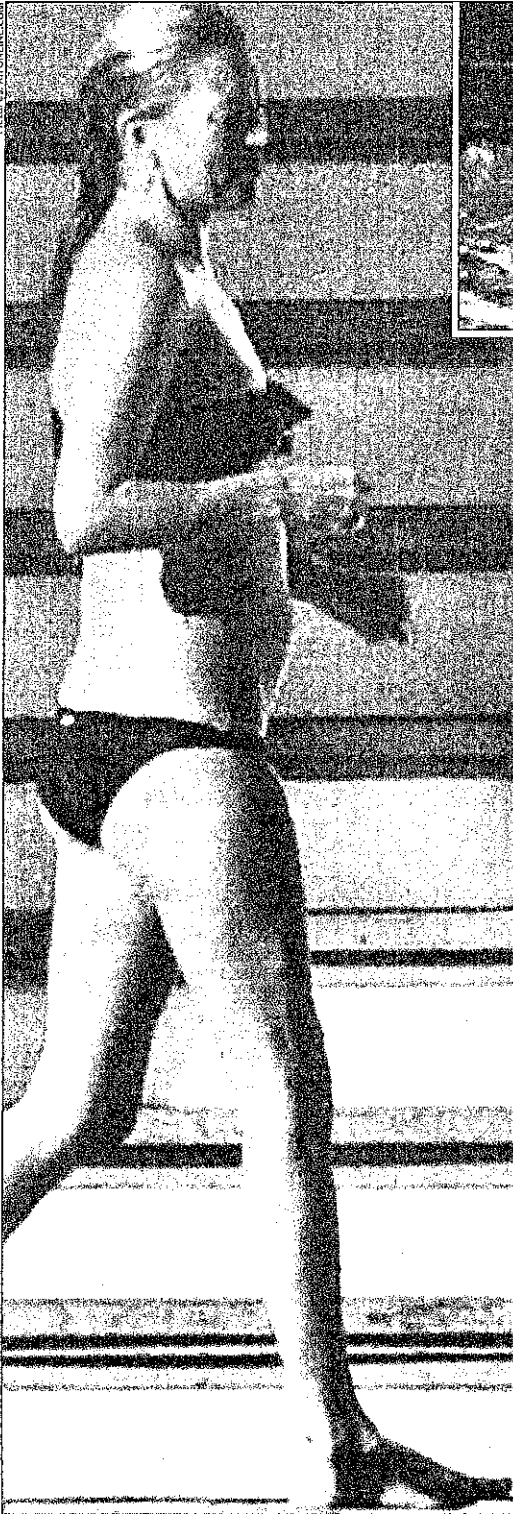
But her three cheesecakes ended up too unstable and heavy to even stack on top of each other, and her bases were branded "raw" by Hollywood.

But Docherty is holding on to one of her more successful bakes in the competition, during biscuit week.

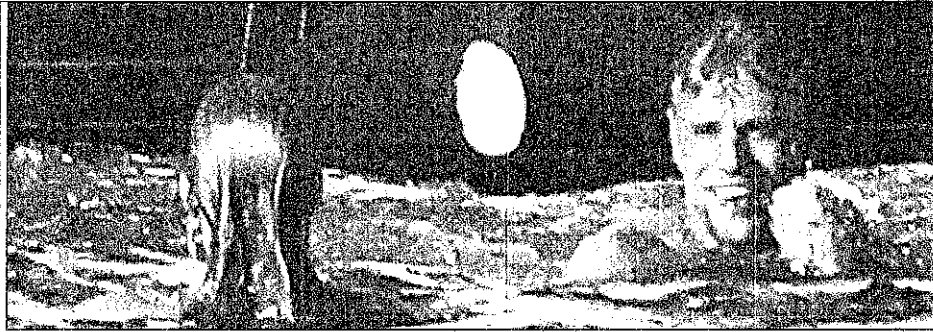
She revealed: "When Mary said my biscuit Showstopper was breathtaking, I won't ever forget that wonderful feeling, it will be one of my all-time highs."



# So who's this on a yacht with Kate Moss?



PICTURE: ALCONINE.COM



Quick dip: Kate Moss and a laughing Richard Bacon splash around in the sea beside the luxury yacht

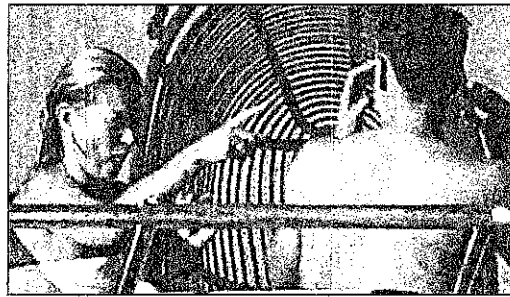
By Simon Cable

AS she fights to save her marriage, it seems that Kate Moss has found a rather unlikely source of support.

The model spent the afternoon on a yacht off Italy with presenter Richard Bacon, 39.

The pair, who have both battled drug scandals in their careers, are holidaying in Portofino. Bacon was joined by wife Rebecca. But Miss Moss, who wore a black bikini, had to do without husband Jamie Hince, who is touring with his band. Friends say they lead separate lives.

Miss Moss, 41, is thought to have made friends with Bacon - once sacked from Blue Peter for taking cocaine - as they are both close to Radio 1 DJ Nick Grimshaw. The model was dropped by several brands in 2005 after being pictured allegedly snorting the drug.



Good point: Miss Moss and Bacon engage in a heated debate

## We are fed up of lies, say family in Sheku death case

By Rachel Watson

THE family of a man who died in police custody say they have lost all confidence in an investigation into his death.

Sheku Bayoh, 31, was detained by police in May after being accused of carrying a knife, but he lost consciousness while being restrained by officers in Kirkcaldy, Fife.

The family has since claimed that handcuffs, leg restraints and CS spray were used on the father-of-two from Sierra Leone as he was held by six officers.

Yesterday his partner Colette Bell, sister Kadijartu Johnson and brother-in-law Adeyemi Johnson met with Lord Advocate Frank Mulholland, QC, in Edinburgh.

He advised the family that there are 'complex issues' surrounding the case, which is being investigated by the Police Investigations and Review Commissioner (PIRC).

The Crown Office will carry out its own investigation once this is finished which will determine whether or not criminal charges will be



Death in custody: Sheku Bayoh

brought against anyone in relation to Mr Bayoh's death.

But the family's lawyer, Aamer Anwar, said they do not think a fatal accident inquiry would get them the answers they need.

Mr Anwar also stated that the family have employed the country's leading pathologists to assist them as they do not want to be taken for 'fools' by the authorities. He said:

'The family told the Lord Advocate that they do not believe the PIRC have shown the necessary expertise to deal with this investigation.'

'The family expressed grave reservations as to the PIRC's impartiality or robustness and believe that PIRC have failed to use their powers to hold police officers to account.'

'The Bayoh family have stated from day one that Sheku acted out of character and that if he broke the law then the police had a right to act, but he did not deserve to die.'

Miss Bell added: 'I believe if the police hadn't treated my Sheku the way they did, he'd be here today. I am fed up with the lies and the attempt to blame Sheku for his own death.'

Mr Anwar stated that six officers had been involved in the incident which led to Mr Bayoh's death, and questioned if the case would have been treated the same way if it had been six civilians. No officers involved in the incident were suspended, although a young female officer was treated in hospital after suffering injuries during the arrest.

A spokesman for the PIRC confirmed an interim report of the investigation's findings was now being considered by the Lord Advocate.

Looking shipshape: A bikini-clad Kate Moss aboard the boat

## Senior moments? Only worry if you don't notice them

WHEN you lose your car keys and then go upstairs only to forget why, it's easy to fear your memory is fading.

But instead of being a cause for concern, it seems these 'senior moments' should be welcomed. It is when you begin to stop noticing your memory lapses that you should actually start worrying, according to scientists.

A study found people tend to become oblivious to memory problems two or three years before the onset of dementia.

Researcher Robert Wilson, of Rush Univer-

By Fiona MacLae  
Science Editor

sity Medical Centre in Chicago, said: 'Our findings suggest unawareness of one's memory problems is an inevitable feature of late-life dementia, driven by a build-up of dementia-related changes in the brain.'

The study tracked the mental sharpness of more than 2,000 adults for more than a decade. The men and women had an average

age of 76 at the start of the study and showed no signs of memory problems.

They underwent annual tests of memory and thinking, and were asked how often they had trouble remembering things and how they rated their memory. Some 239 participants developed dementia during the study. Initially, their judgment of how good their memory was proved accurate, but it started to drop sharply an average of 2.8 years before they developed clear dementia symptoms.

Dr Wilson said: 'Virtually everyone had a

lack of awareness of their memory problems at some point in the disease.'

Brain examinations of participants who died during the study revealed three dementia-related changes associated with rapid decline of memory awareness, the journal *Neurology* reported.

Dr Laura Phipps of Alzheimer's Research UK said: 'The findings highlight the importance of testimony from relatives and close friends at the point of diagnosis to help doctors to gain a clearer picture.'



News

## Call to show footage of death in custody

The family of a young father who died in police custody have called on the lord advocate to release footage of the moment he was pinned to the ground (Georgie Keate writes).

Sheku Bayoh, 31, died on May 3 after he was restrained by officers responding to an incident in Kirkcaldy, Fife, at 7am. His death is being investigated by the Police Investigations and Review Commissioner (Pirc), which gave an interim report to Lord Advocate Frank Mulholland earlier this month.

Yesterday, Mr Bayoh's relatives held face-to-face talks with Mr Mulholland at the Crown Office in Edinburgh, where they informed him that after 16

weeks they had "lost confidence" in the Pirc investigation. They also asked for the footage of Mr Bayoh's "last moments" to be released.

"Relevant CCTV footage has been secured including mobile phone footage from civilians," said the family's lawyer, Aamer Anwar. "The family has requested that the lord advocate release that CCTV footage to stop the poisonous and systematic leaking of material to the media by police sources."

The Crown Office said it would take the Pirc report into account when carrying out its own investigations and would assess whether there should be a criminal prosecution.

## Mortgages at highest level in seven years

The number of mortgages issued in Scotland between April and June rose to its highest level for nearly seven years (Gabriella Bennett writes).

Findings from the Council of Mortgage Lenders (CML) revealed a 39 per cent increase in lending in the year's second quarter compared with the first. The figures were up 3 per cent in a year-on-year comparison.

Research also showed that there had been a big jump in home loans for first-time buyers.

The CML attributed the rise to better mortgage deals and the land tax introduced by the Scottish government in April.

The figures show that those seeking a mortgage for their first home

accounted for £880 million of borrowing in the three-month period, up 52 per cent on the previous quarter and 11 per cent on the previous year.

First-time buyers typically borrowed just over three times their gross household income, up from 2.84 the previous quarter but less than the UK average of 3.38. Remortgaging increased 21 per cent on the previous year to £760 million. The average value of a loan was just over £100,000.

Kennedy Foster, policy consultant at the CML, said: "This quarter saw the highest number of loans to those purchasing a home since the second quarter of 2008."

## More Scots decide smoking is a drag

Only one in five Scots now smokes, down from almost one in three 15 years ago, according to new figures (Hamish Macdonell writes). The 20 per cent figure also represents a reduction on the 23 per cent who smoked three years ago.

SNP ministers said the Scottish Household Survey figures showed that they had made good progress on their target of reducing the proportion of smokers in Scotland to 5 per cent by 2034. In 1999, when the Scottish parliament was created, 31 per cent of Scots smoked.

The decline gathered pace with the introduction of the smoking ban in 2006.

Ministers said yesterday they were particularly

pleased with the reduction in Scotland's most deprived areas, which have traditionally shown most resistance to antismoking messages. Smoking rates in these areas dropped from 40 per cent in 2010 to 34 per cent in 2014.

Maureen Watt, Scotland's public health minister, said: "Smoking is Scotland's largest cause of preventable ill health and death, killing one in two long-term users — and the best thing smokers can do is quit. These figures are a major boost as we continue towards our goal of a smoke-free Scotland by 2034. It's particularly heartening to see rates falling most notably in Scotland's most deprived communities."

peugeot.co.uk/308

**engine of the year award 2015**

Available with just 1.9% APR Representative and 3 years free servicing\*

**PEUGEOT 308**

AVAILABLE WITH JUST 1.9% APR REPRESENTATIVE AND 3 YEARS FREE SERVICING\*

TOUCHSCREEN WITH SAT NAV & REVERSING CAMERA

FULL LED HEADLIGHTS & FOG LIGHTS

**PURE TECH** PEUGEOT recommends TOTAL. Official Fuel Consumption in MPG (l/100km) and CO<sub>2</sub> emissions (g/km) for the 308 Range are: Urban 38.2 – 80.7 (7.4 – 3.5), Extra Urban 61.4 – 97.4 (4.6 – 2.9), Combined 50.4 – 91.1 (5.6 – 3.1) and CO<sub>2</sub> 130 – 82 (g/km).

MPG figures are achieved under official EU test conditions, intended as a guide for comparative purposes only and may not reflect actual on-the-road driving conditions. \*1.9% APR Representative up to 37 months. Terms and conditions apply, participating dealers only or visit peugeot.co.uk. Peugeot Motor Company PLC is acting as a credit broker and is not a lender. We may introduce you to a limited number of lenders to finance your purchase. Over 18s only. A guarantee may be required. Finance provided by and with quotations available from PSA Finance UK Ltd t/a Peugeot Financial Services, Quadrant House, Princess Way, Rodhill, RH11 1QA. All offers available on qualifying vehicles ordered and registered between 01/07/15 and 30/09/15 or until such time as they may be withdrawn by Peugeot at its complete discretion. Excess mileage charges may apply. †Three years free servicing offer is for 308 Hatch (excluding SW) models ordered between 01/07/15 and 30/09/15. Offer applies to qualifying retail customers only. Price includes VAT. Servicing offer is available in conjunction with all other consumer offers. Servicing element includes scheduled servicing (including pollen filter) and brake and engine oil if removed at the intervals stipulated by the manufacturer, together with all associated labour costs. Wear parts are excluded. Expires at 36 months or 30,000 miles (whichever occurs sooner). Start date for Servicing is original date of vehicle registration. Full details of the terms and conditions will be supplied when placing the vehicle order. Peugeot Motor Company PLC reserve the right to amend or withdraw this offer at any time. Model shown is a 308 Hatchback GT Line with metallic paint at £21,970. Touchscreen with satellite navigation and reversing camera, full LED headlights and fog lights are standard on a 308 Hatchback GT Line. All information correct at time of going to press. Visit peugeot.co.uk for full terms and conditions.

PEUGEOT 308

MOTION & EMOTION



PEUGEOT



**MYSTERY** Barry McRae  
Fiscal given naked road death report

A REPORT into the death of a dad of two killed while naked on a main road has gone to prosecutors.

Barry McRae was hit by a car on the A90 road from Aberdeen to Dundee at around 2.30am on Friday.

Barry, from Stonehaven, Kincardineshire, is thought to have been a passenger in a car.

But he left the vehicle and crossed the dual carriageway before being hit.

A Crown Office spokesman said: "The procurator fiscal has received a report in connection with the death of a 34-year-old male near Stracathro in Angus.

"The investigation into the death is ongoing and the family will continue to be kept updated in relation to any significant developments.

Police have appealed for anyone who saw a black Audi A3 car travelling south between 1.30am and 2.30am on Friday to contact them.

**Fuel prices going down**

SUPERMARKET Morrisons signalled a fresh round of petrol price cuts yesterday.

They announced the cost of their unleaded would be cut by 2p per litre and diesel by 1p per litre from today.

The move is the second time this week prices have been cut. Unleaded is 18p cheaper than a year ago.

# Show us CCTV footage of our Sheku's arrest

BY SARAH VESTY  
s.vesty@dailyrecord.co.uk

**THE FAMILY** of a man who died in police custody are calling for CCTV footage of his confrontation with officers to be made public.

Dad-of-two Sheku Bayoh's loved ones yesterday met with the Lord Advocate to discuss an interim investigation report.

Sheku, 31, died after being detained by police in Kirkcaldy who used CS spray, pava spray, handcuffs and two forms of restraints to subdue him.

His family, including partner Collette Bell, believes CCTV and mobile phone footage captured by passers-by should be released to stop 'poisonous' leaks from police sources.

Their lawyer Aamer Anwar said: "CCTV footage has been secured including mobile phone footage from civilians. The family requested that the Lord Advocate release that footage of Sheku's final moments.

"The Crown Office will understand with recent tragic events in Scotland they can no longer expect families of victims to be silent parties."

Anwar added: "The family have stated from day one that Sheku had acted out of character that morning and that if he broke the law, the officers had a right to act but he did not deserve to die."

Several aspects of the inquiry have been referred to chief constable Stephen House and the final outcome could be several weeks away.

A statement read on behalf



**STATEMENT**  
Anwar, Collette, second left, her mother and Sheku's sister and her husband. Picture: Hemedial/SWNS



**KILLED** Sheku Bayoh

## Family issue appeal during their meeting with senior law officer

of Collette - mother to gas engineer Sheku's younger child son Isaac - said: "Today we asked... if the restraint of Sheku had been carried out by six civilians, would those civilians been allowed to walk the streets?"

A spokesman from the

Crown Office said: "The Lord Advocate today updated the family on the progress being made and the next steps for the investigation into his death.

"It comes after the Police Investigations and Review Commissioner submitted their interim report. The Crown will

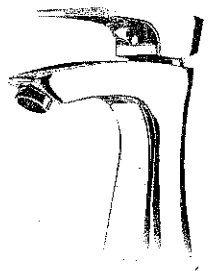
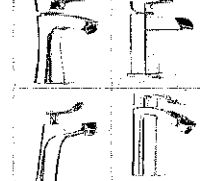
take the PIRC report into account when carrying out its own investigations.

"The family have been advised that as part of the investigation, there are a number of complex issues relating to the cause of death and experts in the field have been instructed."

**MICMARE**  
**Premium Sink Mixer Tap**  
**£29.99**

Made from sleek chrome-plated brass, tap array of styles. Two-piece cartridge with durable ceramic discs.

Suitable for all domestic sinks.



Flexible connection hoses, normally 1.5m, and instructions included.



**NEVADENT**  
**Electric Toothbrush**  
**£12.99**

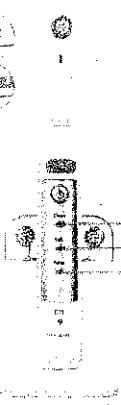
High-frequency, bicolor, round rotator effectively removes plaque while creating fresh and quiet.

2 minute timer with 20 second signal for gently cleaning the 4 jaw quadrants.

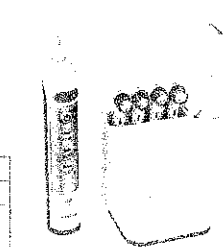
With a charging base that provides storage for 4 toothbrushes.

Increases 4 colour-coded tooth heads with high-speed, rounded DuPont™ bristles, proven manufacturing process.

**WHILE STOCKS LAST!**



**#ThursdayHighlight**



- 3 settings with LED Jissiply:
1. Clean - deep cleaning
  2. Soft - gently cleans sensitive areas
  3. Pulse - stimulating gum massage



Practical hard travel case holds handset and 2 brush heads.

From **Thursday 27th Aug - While stocks last!**

All offers subject to availability. Excludes N.I. & R.O.I. ©Consented by RDE. Prices correct at time of going to print & valid for a limited period only. Packaging & assurance may vary.

#LidlSurprises [www.lidl.co.uk](http://www.lidl.co.uk)



## MoD plot for 'hero'

DEFENCE chiefs have plans for the existence of a real-life superhero. Actor Brett Goldstein, 24, said he made the odd discovery while writing comedy film SuperBob. Brett rang the MoD asking what they would do with a Brit superhero. They invited him for a chat and spent 90 minutes going through ideas. He told Tom Latchem on Fubar Radio live from the Edinburgh Fringe: "It was fascinating."

The Sun Says — Page Ten

## RAIL WALKOUT

First Great Western rail staff are set for a Bank Holiday weekend strike in a row over new trains.

# GIVE US TRUTH

## Cop death dad's family in plea to law chiefs



SCOTLAND'S top lawman was urged to leave "no stone unturned" in a bid to find the truth over a dad's death in custody.

Sheku Bayoh's family made the plea in a meeting with Lord Advocate Frank Mulholland. Relatives including

By KARRIE GILLET

partner Collette Bell, 27, and sister Kadijatu Johnson, 37, also told him they have "lost confidence" in the Police Investigations and Review Commissioner's probe over the incident in Kirkcaldy, Fife.

After the meeting in Edinburgh, their lawyer Aamer Anwar said: "The family expect

him to leave no stone unturned in the search for the truth. But they have grave reservations as to PIRC's impartiality or robustness — they believe they've failed to hold officers to account.

"When police armed with CS, pepper spray, batons, handcuffs and restraints try to subdue someone and that person dies, the question is whether their actions caused that death." A Crown Office spokesman said:

"The Lord Advocate told the family that experts will assist with several complex issues relating to the cause of death.

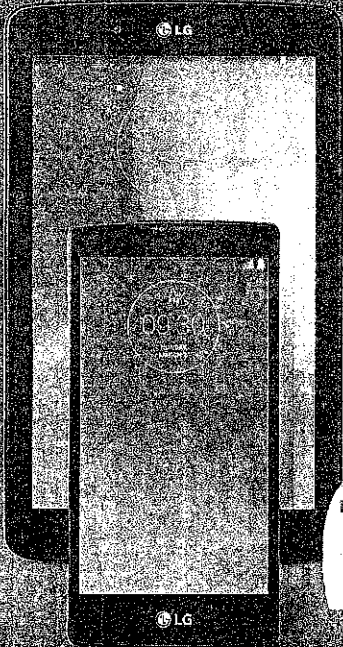
"And the Crown will assess whether or not there should be a criminal prosecution."

Mr Bayoh, 31, left, collapsed and died in May after being detained. PIRC said: "The commissioner continues to work closely with the Lord Advocate."

scottish-sun@the-sun.co.uk



Phone + tablet from £12 a month (No need to pinch yourself)



Devices and tariff from £12 a month

LG Spirit + LG G Pad 7.0. All from just £12 a month.

Duration of credit agreement	Upfront cost	Monthly device(s) payment	Total credit amount	Total amount payable for device(s)	Interest rate (fixed)	Representative APR	Device(s) cash price
24 months	£0	£7	£168	£168	0%	0%	£168

• Visit a Virgin Media store • virginmedia.com • 0800 953 1473

Prices may change at any time during the contract. Freephone Contracts: You must pay off your loan in full in order to upgrade your handset. 0% APR Representative. Based on a 24-month comparison credit agreement with Virgin Media Mobile Finance Limited for the phone and a 30-day rolling Pay Monthly Airtime Contract with Virgin Media Telecoms Limited. Credit subject to status, credit check and payment by Direct Debit. 18+. Terms and conditions apply. Visit virginmedia.com/finance for full details. Virgin Media Mobile Finance Limited is authorised and regulated by the Financial Conduct Authority under register no. 628245. Registered office: Media House, Barnby Wood Business Park, Hook, Hampshire RG27 3UT. Registered in England and Wales no. 9053818. Tariffs Offer available when purchasing an LG Spirit from Virgin Media on a Pay Monthly tariff until 30th September 2015 or while stocks last (whichever occurs first). Availability subject to stock. The LG G Pad 7.0 will need to be returned with the handset in an unused condition along with its original packaging and all accessories if the order is subsequently cancelled, or is exchanged for a different handset. If your LG tablet is damaged on return or you fail to return all the parts and accessories, we reserve the right to charge you for any repair or replacement cost. Further Legal of Sell applies. See virginmedia.com for details.



Delays... Chilcot

## Relatives demand Chilcott 'Sir' chop

By KATE McCANN

FAMILIES of soldiers killed in Iraq called for Sir John Chilcott to lose his title yesterday.

They hit out as he again tried to defend delays in his £10million six-year inquiry.

Mum Janice Procter, 55, lost son Pte Michael Tench, 18, to a roadside bomb in 2007. Janice, of Sunderland, said: "If it was his child he would speed it up."

"He should be stripped of his title, it stinks like a cover-up more and more."

Sir John blamed the delay on the process where witnesses can respond to criticisms. But he again refused to set a publication timetable.

Lt Cpl Tom Keys, 20, died in 2008 and dad Reg said: "We are extremely frustrated. My wife died two years ago, she didn't know the findings."

Families will now push for legal action to force Sir John to finish by the end of the year.

## VIP 'witch hunt' fury

SENIOR cops are hauling VIPs into a "Middle Ages witch-hunt" over sex crime allegations, an angry Tory MP claimed.

Former party vice-chairman Michael Fabricant attacked the Operation Midland probe into establishment sex rings.

Mr Fabricant said: "It seems a few police officers seek fame and promotion rather than justice for those they investigate."

Earlier this week, gay former Tory MP Harvey Proctor criticised an investigation into him over claims he tortured and murdered small boys.

The Met, which is running Operation Midland, refused to comment.



Drop shot... Rafa ditches shirt for snaps



## Rafa's brief encounter

TENNIS ace Rafael Nadal plays it cool as he poses in tight briefs.

The Spanish star, 29, stripped off as the new face and body of Tommy Hilfiter. He showed his ripped body as he played a promotional match in New York.

It was just for fun but the World No. 8 still left his fans and opponents panting.



SI 27 08 15

# Family calls for CCTV footage release

**BRIAN DONNELLY**  
SENIOR REPORTER

THE family of Sheku Bayoh, who died whilst in police custody, have called on Scotland's most senior legal officer to make CCTV and mobile phone footage connected to the alleged incident publicly available.

Aamer Anwar, representing the family, made the call for the film of "Sheku's last moments" to be released after a meeting with the Lord Advocate, Frank Mulholland QC, at the Crown Office in Edinburgh.

Mr Anwar said the family had lost confidence in the ongoing investigation into the case by the watchdog, the Police Investigations and Review Commissioner.

Father-of-two Mr Bayoh, 51, died in custody after an alleged incident in a yet-unexplained circumstances involving up to nine officers in Kirkcaldy, Fife.

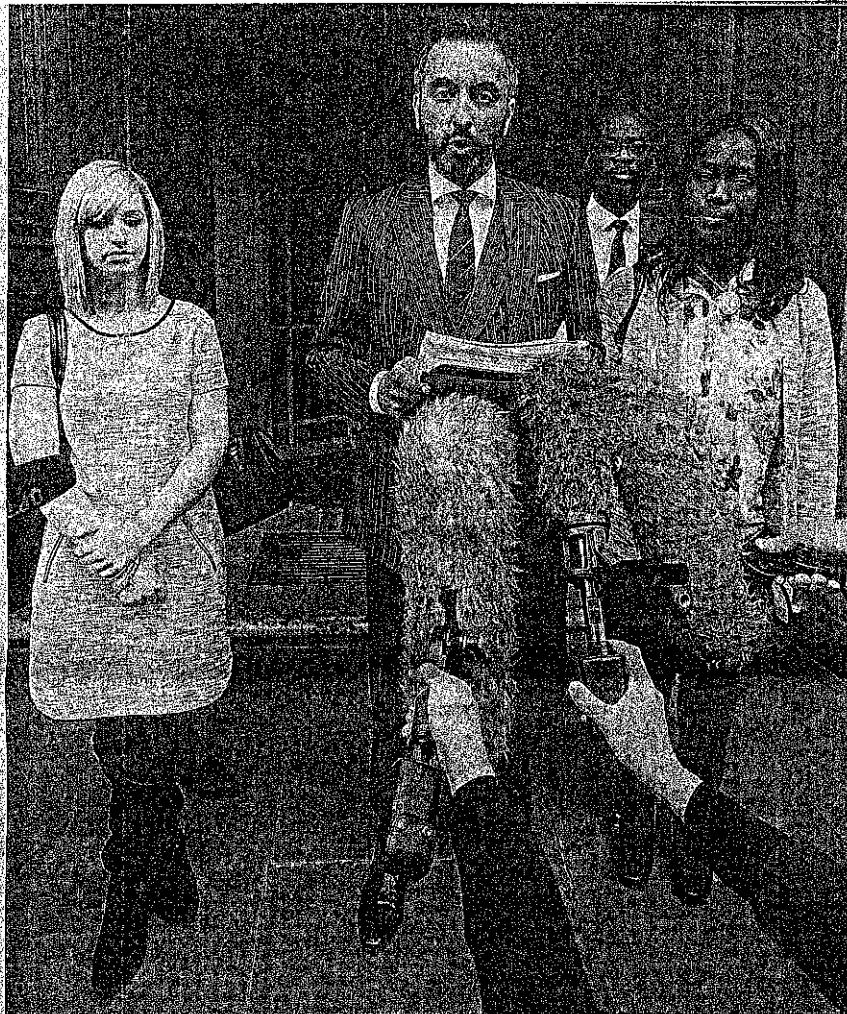
A female officer was injured in the incident which began at around 7am on Sunday, May 3.

A spokesman for the Crown Office said it cannot make such footage public while an investigation is continuing.

Mr Anwar was at the meeting with Collette Bell, Mr Bayoh's partner, his sister Kadjaru Johnson, brother-in-law Adeyemi Johnson and Lorraine Bell, Ms Bell's mother.

Mr Anwar said: "The family has requested the Lord Advocate release the CCTV footage of Sheku's final moments.

"Certain parties may



**CAMPAIGN:** Mr Bayoh's partner Collette Bell, his sister Kadjaru Johnson and brother-in-law Adeyemi Johnson, with Aamer Anwar.



**SHEKU BAYOH:** 51-year-old was father of two.



**FRANK MULHOLLAND:** Lord Advocate met Collette Bell.

wish to concentrate on everything apart from what happened to Sheku Bayoh, but when officers armed with CS, pepper spray, batons and handcuffs and restraints, try to subdue someone by force and that person dies, the number one question is whether their actions resulted in that death.

"There has been much talk of a violent confrontation but zero information about any serious physical injuries suffered by nine police officers."

Ms Bell said she believes that "if the police hadn't treated Sheku the way they did, he would be here today".

A Crown Office spokesman said: "The Lord Advocate met with the family of Sheku Bayoh and updated them on the progress being made and the next steps for the investigation into his death."

"It comes after the Pirc submitted their interim report earlier this month.

"There remains work to be done by Pirc before their investigation is complete."

The Crown will take the Pirc report into account when carrying out its own investigations and will assess whether or not there should be a criminal prosecution.

"In order for any criminal prosecution to happen, there must be

sufficient evidence in law that a crime has been committed."

A spokesman, commenting on behalf of the Pirc said: "On August 7 the commissioner delivered an interim report of the investigation's findings which are now being considered by the Lord Advocate.

**NO VAT + UP TO 30% OFF EVERYTHING IN OUR MASSIVE BATHROOM SALE**

**VICTOR Paris BATHROOMS**

GLASGOW  
60 Washington Street, Glasgow G3 8AZ  
Tel: 0845 607 6944  
www.victorparis.com

SHOWROOMS ALSO IN EDINBURGH & DUNDEE

## Police save serial rapist from mob

A SERIAL rapist had to be rescued by police after a vigilante mob of 70 people began protesting outside his home.

Convicted rapist John Locke had set up home in Aviemore, in the Highlands, after being released from jail.

But his neighbours grew suspicious after he was repeatedly dropped off at home in a marked prison service van.

And on at least three occasions the rapist was escorted by uniformed personnel to his home while preparing for his release.

When residents finally uncovered his identity about two months after he moved in, a crowd of 70 people surrounded his house until police were forced to remove him.

His thought the locals discovered Locke's identity after one individual rummaged through his recycling bin and a prescription with his name on it.

Neighbour Sam Wilson, 27, said: "He was coming for home visits with G-S prior to moving in. I think it was about once a week over about a month."

"They were parking out the back about 100 yards away. It was like a minibus with blacked-out windows."

"It was about mid-day, a lot of people in the street saw him."

"He always had two officers with him. It really shocked me that they would think this would go unbothered."

Police in Scotland confirmed the protest which took place outside Locke's home on Sunday and added that only one individual was reported to the Procurator Fiscal.

A spokeswoman said: "Police Scotland works in partnership with a number of agencies to ensure all registered sex offenders are robustly managed within the community."

## Plan to help grow Rum's population

COUNCILLORS have approved plans to help attract more residents to build a home on the Isle of Rum.

Only around 50 people live on the Isle, formerly known as the Forbidden Island, but a new community land use plan has been passed by Highland councillors to give the island a utility and be certain over where much-needed new housing can be located.

The plan details where and how many house sites there should be and indicates that the main settlement, Kinloch, can be extended to the northern shore of Loch Scorsoru. Nic Goddard, a director of the Isle of Rum Community Trust, said: "We need to grow the population of our village and diversify the island's economy and this plan will help bring us closer to making that happen."

Owned by Scottish Natural Heritage and its predecessor the Nature



**NEW LIFE:** Only 50 people live on the island.

Conservancy Council, the only people who used to live on Rum were managing the island or studying nature here. But many residents campaigned to put their own roots down and build a life for their families here."

In a key Scottish Government decision it was ruled that SNH should transfer ownership of 270 acres of land in and around the village of Kinloch to the Isle of Rum Community Trust (IRCT). This began in 2009 and was completed the year after.

**£20**  
a new  
much

For a free no call:  
Call: 0800  
Visit: scottishga

Offer subject to boiler installation, ex properties only and offer expired after Friday 7.30pm (Bm) Saturday 3am. Help improve our service to you. From



## Anti-stalking campaigner backs Corbyn's plan for women-only carriages on railway

BY KATHLEEN NUTT

SCOTLAND'S leading campaigner against stalking has backed a proposal by Labour leadership frontrunner Jeremy Corbyn for separate rail carriages for women travelling by train at night.

Ann Moulds said she believed the move would help give lone women some reassurance over their safety at a time of increasing sexual offences against women travelling by rail.

Moulds, who set up Action Scotland Against Stalking and campaigned successfully for tougher criminal laws against stalking, welcomed Corbyn's suggestion. "Out with men starting to behave themselves and eradicating sexual predators from our streets, which is just as unlikely, we have to devise ways to reduce violence against women," she said.

"I therefore fully support Jeremy Corbyn's proposed women-only train carriages. We only have to look at the year-on-year increase in sexual and violent crimes across the UK to realise such measures are in fact a necessary step to help safeguard women from sexual predators.

"Single carriages are not obligatory, but for single women who face travelling alone, it will offer them some assurance their safety is being considered."

She added: "Just a few days ago the British Transport Police recorded 1,399 sexual offences last year in England, Scotland and Wales, up 282 on the previous year and most of the

sexual offences were against women and girls."

Corbyn's suggestion – set out in a policy document about street harassment – has caused an outcry among some women and men, saying the move would be a step back in time to an era of less equality between the sexes and was tantamount to conceding defeat in the campaign to stop sexual harassment.

It was also condemned by his rivals for the party leadership, Liz Kendall, Yvette Cooper and Andy Burnham. Kendall said that while sexual harassment and violence against women was a serious issue, women-only carriages were not the answer.

"Everyone should be able to travel without fear of physical or verbal attacks, and we have much to do as a society to reach that point," she said. "But I don't believe that gender segregation is the answer. That'd be an admission of defeat, rather than a sustainable solution."

Cooper tweeted: "Just off tube. Majority of passengers women. Why should we have to shut ourselves away to stay safe?"

However, in Scotland some ordinary women supported the proposal. One woman tweeted: "Had a very frightening experience on a train. Would def use female only carriage."

Another added: "As someone currently tweeting just to distract herself from unwanted male attention: an option I'd def take."

Others though weren't convinced. Gillian Sproule tweeted: "This feels like a backwards step to me. Segregation is not the answer!" Sandy Brindley, national



Ann Moulds praised the proposal from Labour leadership frontrunner Jeremy Corbyn

coordinator of Rape Crisis Scotland, said she believed Corbyn's proposal to seek views on women-only train carriages shouldn't be condemned, as it was a genuine attempt to consider how we can make women both feel and be safer on public transport. But she added: "It is our view that the priority needs to be addressing the causes of why women don't feel safe."

"It is time to get serious about changing attitudes to violence against women. We need to invest properly in prevention, in tackling the causes of sexual violence and addressing attitudes which minimise sexual harassment and assault and treat it as 'just a bit of fun'."

A spokesman for British Transport Police said: "Recently we have been involved in two pioneering campaigns... aimed at empowering victims and witnesses. As a direct result of these campaigns, during the past year we have seen a 25 per cent increase in the number of offences reported to us. This is allowing us to build a clear picture of the scale of the problem facing both the police and commuters."

will take the PIRC report into account when carrying out its own investigations and will assess whether or not there should be a criminal prosecution.

"In order for any criminal prosecution to happen, there must be sufficient evidence in law that a crime has been committed."

"The family have been advised, by the Lord Advocate, that as part of the ongoing investigation there are a number of complex issues relating to the cause of death and experts in the field have been instructed to assist in dealing with these issues."

"The Lord Advocate has reiterated the undertaking previously given to the family that the enquiry will be thorough and completed as soon as is possible."

The PIRC said: "The Commissioner continues to work closely with the Lord Advocate to investigate complex lines of enquiry, including gathering further expert opinion in relation to the cause of death."

## of Highlands food and drink awards

Judging for the awards took place last week at The Storehouse at Evanton with a panel of 13 judges examining the entries and tasting produce from across the Highlands and Islands and Cairngorms National Park.

With 2015 marked across Scotland as the Year of Food and Drink, this year's awards look set to be higher profile than ever before.

Gordon and MacPhail, one of the UK's leading independent wine, spirit and whisky wholesalers, is headline sponsor.

The winners will be announced on Friday, October 23 at a glittering awards ceremony at the four-star Kingsmills Hotel in Inverness.

Finalists for the Best Drink Award are Dunnet Bay Distillers,

Gordon Castle Scotland, Highfern Ltd, Speyside Distillery and Windswept Brewing Co.

Great Glen Charcuterie, North Hop, Orkney Fishermen's Society and Seafood Shetland are up for the Best Marketing Initiative Award.

In the Environment Award the finalists are Isle of Eriska Restaurant, Loch Fyne Oysters, Wester Ross Fisheries.



Our fantastic natural larder is one of our key strengths

Associated Seafoods, Speyside Distillery and Wester Ross Fisheries made it to the finals for the Export Award.

For the Healthier Food and Drink Award finalists are Highland Crackers (Highland Cordials), Juicy-Ness, Skye Farm Shop.

Independent Retailer of the Year finalists are Ruth Bheag, Gordon Castle Scotland, Skye Farm Shop, The Old Post Office and Lochbuie Larder.

And for the New Business Award Dunnet Bay Distillers, Gordon Castle Scotland, Muckrach Country House Hotel and North Hop got into the finals.

For full details of the awards, categories and the finalists go to [hifoodanddrinkawards.com](http://hifoodanddrinkawards.com).



## YOU CAN NOW BOOK YOUR FAMILY NOTICE IN THE NATIONAL

This includes Birth, Engagement, Marriage, Death, Acknowledgement and In Memoriam.

### THERE ARE 3 WAYS TO BOOK:

- 1 Just give us a call on 0141 302 6000 between 9am-5pm, Monday-Friday.
- 2 or email [announcements@heraldandtimes.co.uk](mailto:announcements@heraldandtimes.co.uk)
- 3 or you can call into our Front Counter at 200 Renfield Street, Glasgow G3 3QB, between the hours of 9am-4pm.

Please note the deadline for next day's edition is 3.30pm, one day prior

THE NATIONAL

# Bayoh family loses faith in probe boss

Lawyer says PIRC not impartial over death in custody

BY GREG RUSSELL

**T**HE family of Sheku Bayoh, the Fife father-of-two who died in police custody, have told Scotland's top law officer that they have lost confidence in the Police Investigations and Review Commissioner (PIRC) carrying out the investigation into his death.

However, in a statement following a meeting with Lord Advocate Frank Mulholland, they said they believed he was determined to uphold an earlier promise to ensure a "robust, independent and transparent inquiry".

Family lawyer Amer Anwar said they did not believe the PIRC had shown the necessary expertise to deal with the investigation, and had grave reservations about its impartiality.

They believed the PIRC had "failed to use their powers to hold police officers to account".

Anwar said: "Many of the



Sheku Bayoh. Right, Colette Bell and other members of his family with solicitor Amer Anwar yesterday

concerns raised today were addressed by the Lord Advocate, whilst other matters will form the basis of further inquiries.

"The Bayoh family have stated from day one that Sheku acted out of character and that if he broke the law then the police had a right to act, but he did not deserve to die.

"The Bayoh family instructed some of the country's leading pathologists and a legal team for a reason, to ensure that they are not taken for fools and patronised."

Anwar added that the family's legal team had uncovered "matters of serious concern", which had been referred to Chief Constable Sir Stephen House for investigation.

"The Bayoh family now have a pretty accurate account of what happened, but chose not to release a great deal of information into the public domain so as not to prejudice any potential criminal proceedings but also because of their faith in the Lord

Advocate's team," said Anwar. "The question asked of the Lord Advocate today was, if the restraint of Sheku Bayoh had been done by six civilians, would they have been allowed to walk the streets?"

"Would his death have been treated as a crime? And would the civilians responsible for the restraint been treated as suspects rather than as witnesses?"

"The Bayoh family expect the Lord Advocate to leave no stone unturned in the search for the truth. They retain faith in his ability to do so, but that faith is not blind."

The solicitor said what was known was that Bayoh weighed 12 stones 10lbs, was 5ft 10ins tall, but was brought to the ground within a minute of the first police contact in a Kirkcaldy street in May.

He did not get up again. Six police officers were involved in his restraint using handcuffs, leg and ankle restraints, and a minute later he stopped breathing. Ninety



minutes later he was pronounced dead.

Anwar said the family had tried to keep an open mind, but now believed those investigating the death had not. "There has been much speculation about the cause of death, which is still to be determined," he added.

"Relevant CCTV footage has been secured, including mobile phone footage from civilians. The family has requested the Lord Advocate release the CCTV footage of Sheku's final moments to stop the poisonous and systematic leaking of material to the media by police sources."

Colette Bell, Bayoh's partner, said: "I believe that if the police hadn't treated my Sheku the way they did, he would be here today. I am fed up of the lies and the attempt to blame Sheku for his own death."

A Crown Office spokesman said: "There remains work to be done by PIRC before their investigation is complete. The Crown

The Bayoh family expect the Lord Advocate to leave no stone unturned

**INSPIRED!**  
...BY GLASGOW'S BEST

The Herald and Glasgow Chamber of Commerce are delighted to be working with Glasgow's award-winning city brand PEOPLE MAKE GLASGOW to host the 2015 Inspiring City Awards, celebrating and rewarding the people and organisations that make Glasgow flourish. It is only fitting that we host one big party to highlight the incredible work we hope you can join us!

**BOOK YOUR TABLE NOW**  
Thursday, September 10, 2015  
Crowne Plaza Hotel, Glasgow

Ticket price includes champagne reception, three course meal and awards ceremony.

**CONTACT**  
Lyndsay Wilson  
on 0141 302 7407 or  
lyndsay.wilson@heraldandtimes.co.uk  
to secure your place.  
www.herald-events.com/inspiringcity  
@HeraldEvents #inspiringcity15

**INSPIRING CITY AWARDS 2015**  
**PEOPLE MAKE GLASGOW**  
GLASGOW The Herald

Support partners:

## Finest producers named in the final

A HOST of top Scottish food producers and retailers have made it to the finals of a record-breaking Highlands and Islands Food and Drink Awards, writes Janice Burns.

Thirty-eight businesses across the Highlands, Islands and Cairngorms National Park area have been shortlisted for the area's most prestigious food and drink awards.

Finalists range from new businesses to established producers, family-run restaurants to Michelin-starred establishments who have demonstrated the strength and diversity of food and drink businesses across the region.

The awards, now in their 11th year include 13 categories from the Young Shining Star and

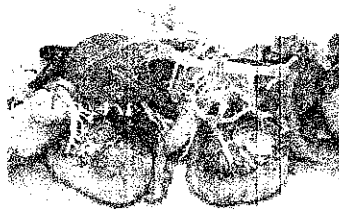
Restaurant of the Year to Export and Healthier Food and Drink.

The Highlands and Islands Food and Drink Awards 2015, backed by Highlands and Islands Enterprise (HIE) has seen an amazing 39 per cent surge in entries with a total of 100 entries received for this year's awards.

Crystal Mackay, development manager at HIE, said: "We would like to thank the companies and individuals who entered the awards and congratulate them on their submissions.

"We are very pleased to see such a high level and quality of entries received from across the region.

"Our fantastic natural larder is one of our key strengths and growing the food and drink sector is a priority for us."



The awards put the stunning range of food and drink available in Scotland into the spotlight

# IN NOTICE AFTER MISTAKES DAMAGE FORCE

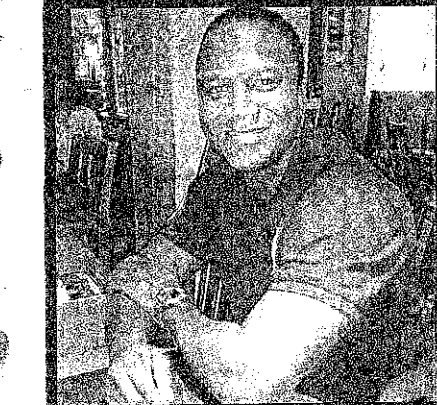
# CONDEMNED



**SINISTER** Armed cops in supermarket



**IGNORED** Lamara Bell and John Yull died after crashing off the M9



**TRAGIC** Sheku Bayoh died in custody after being restrained

## A TARNISHED REPUTATION

Ruth Davidson said: "The buck stops with the Scottish Government and the Scottish Police Authority on Police Scotland's failings."

George Melvill, branch secretary of Unison Scotland's police staff, said House faced "an impossible task" of merging eight forces into one "while having to meet political targets of 1000 extra police officers, and at the same time introducing a £1.1 billion efficiency savings target".

Brian Docherty, chair of the Scottish Police Federation, who represent officers, praised House's "monumental contribution" and said "history will be kinder".

Scottish Police Authority chair Vic Emery said: "He has continued to see policing as a lifelong personal vocation, not a ladder to climb."

IN THE minutes before the police chief strode in typically imperious style into the room, news of House's decision had broken in whispers around those present.

Onlookers would have been forgiven for thinking the chief constable was stepping down of his own volition after a glittering career. In his report to the Scottish Police Authority board the macho boss highlighted examples of his force's success in recent months.

He talked at length about policies to promote women and even praised the Ayrshire division's efforts in "leading the way" on social media.

House hid behind official investigations to avoid answering difficult questions about the Bayoh and M9 cases. The only time his voice faltered was when asked about claims his force had been spying on

### JOHN FERGUSON

journalists - and also at the point that he announced his decision to quit.

When he officially dropped the bombshell he received universal praise from around the table and an enthusiastic round of applause.

But for many rank and file officers, and the public, there would have been cheers for different reasons.

House's sometimes arrogant style and apparent refusal to listen to public opinion had left him unpopular with many.

His decision to routinely arm officers on the beat, scandals over the stop and search of children, and a general feeling that Police Scotland were badly managed, had all taken their toll on the reputation of a man once lauded as a one of the finest officers of his generation.

## PROBLEMS GO HIGHER STILL

SCOTLAND has some of the finest police officers in the world. I should know, because for 38 years I worked side by side with them every single day. That's why it makes me so angry to see the reputation of every officer dragged through the mud. Sir Stephen House was right to resign but the problems in policing don't go with him out the exit door. Cuts to budgets and civilian staff numbers. Closure of services. A lack of transparency over stop-and-search. Spying on journalists. Controversy over deaths in police custody. Nicola Sturgeon and Justice Minister Michael Matheson need to get a grip on

### MSP GRAEME PEARSON

Scottish Labour's Justice spokesperson and a former deputy chief constable of Strathclyde Police

policing. We are repeatedly told that the SNP have met their promise of an extra 1000 police officers. It's half the story.

These extra officers aren't all on the streets, they are performing back office duties because of cuts to control room staff, warrant officers and other roles.

Changes are needed to restore public confidence in Police Scotland.

But what we need is for Sturgeon to be honest about the impact decisions made by her government have had on our police service.

**BartheadTravel.co.uk**  
The Low Cost Travel Provider

## Amazing Holiday Deals

from Scotland's Number 1 Travel Group

Star Buys - 100's of More Deals Available

						WAS	NOW
3 Nov	Gla	Berlin	4* Holiday Inn Berlin City East	B&B	7nights	£465	£147 <sup>pp</sup>
22 Nov	Edi	Prague	5* La Ballerina Hotel	B&B	7nights	£200	£177 <sup>pp</sup>
10 Dec	Gla	Lanzarote	3* El Trebol	All	7nights	£320	£327 <sup>pp</sup>
17 Dec	Gla	Tenerife	3* Tamama Tropical	All	7nights	£330	£337 <sup>pp</sup>
15 Sep	Gla	Crete	3* Smartline Sargis	All	7nights	£370	£347 <sup>pp</sup>
4 Jul 16	Gla	Bulgaria	3* Local Belleville	F&B	7nights	£460	£437 <sup>pp</sup>
1 Jun 16	Gla	Rhodes	3* Solemar Hotel	All	7nights	£450	£407 <sup>pp</sup>
28 May 16	Gla	Majorca	3* Cielo Cala Romera	All	7nights	£460	£487 <sup>pp</sup>
15 Nov	Gla	Barbados	3* Time Out Hotel	B&B	7nights	£570	£647 <sup>pp</sup>

### 2016 Las Vegas Getaway



#### Las Vegas

4\* New York New York Hotel  
Room Only • 7 Nights  
April - October 2016  
Flying DIRECT from Glasgow

FREE VIP DINE FOR LESS CARD

### Mexican Winter Escape



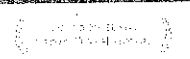
#### Cancun

4\* Crown Paradise Club  
All Inclusive • 14 Nights  
November - December 2015  
Flying DIRECT from Glasgow

FREE RESORT TRANSFERS

Call Us Today On

0141 648 8712



Our travel services are provided on behalf of our travel agents. All prices are per person based on two people sharing a double room. All prices are in GBP. All prices are subject to change without notice. All prices are per person based on two people sharing a double room. All prices are in GBP. All prices are subject to change without notice.

**Barthead Travel**  
The Low Cost Travel Provider

**Amazing Holiday Deals**  
from Scotland's Number 1 Travel Group

Star Buys - 100's of More Deals Available

3 Nov Gla Berlin 4\* Holiday Inn Berlin City East B&B 7nights £465 £147<sup>pp</sup>

22 Nov Edi Prague 5\* La Ballerina Hotel B&B 7nights £200 £177<sup>pp</sup>

10 Dec Gla Lanzarote 3\* El Trebol All 7nights £320 £327<sup>pp</sup>

17 Dec Gla Tenerife 3\* Tamama Tropical All 7nights £330 £337<sup>pp</sup>

15 Sep Gla Crete 3\* Smartline Sargis All 7nights £370 £347<sup>pp</sup>

4 Jul 16 Gla Bulgaria 3\* Local Belleville F&B 7nights £460 £437<sup>pp</sup>

1 Jun 16 Gla Rhodes 3\* Solemar Hotel All 7nights £450 £407<sup>pp</sup>

28 May 16 Gla Majorca 3\* Cielo Cala Romera All 7nights £460 £487<sup>pp</sup>

15 Nov Gla Barbados 3\* Time Out Hotel B&B 7nights £570 £647<sup>pp</sup>

**2016 Las Vegas Getaway**

**Mexican Winter Escape**

**Las Vegas**  
4\* New York New York Hotel  
Room Only • 7 Nights  
April - October 2016  
Flying DIRECT from Glasgow

**Cancun**  
4\* Crown Paradise Club  
All Inclusive • 14 Nights  
November - December 2015  
Flying DIRECT from Glasgow

FREE VIP DINE FOR LESS CARD

FREE RESORT TRANSFERS

Call Us Today On  
**0141 648 8712**

**Barthead Travel** **DABTA**

Our travel services are provided on behalf of our travel agents. All prices are per person based on two people sharing a double room. All prices are in GBP. All prices are subject to change without notice.





## Take the chance to clear up the mess

**STEPHEN House is going, and it's not before time.**

In truth, it was clear pretty quickly that the chief constable believed he was bigger than the job.

He lost political and public support soon after taking charge of the newly-created Police Scotland two years ago.

House was at the helm when armed police started being sent on routine patrols.

He oversaw the controversial stop-and-search policy which saw kids being frisked by officers.

And he was in charge as his rank-and-file officers complained about a new target-driven culture.

Not all problems were of his making, of course.

House has served as a particularly useful human shield for the Scottish Government as budgets are squeezed and officers are pushed into back-office duties.

And he was allowed to get on with his way of working without proper official scrutiny. The Scottish Police Authority proved themselves to be totally inadequate.

The unseemly turf war between House and SPA chief Vic Emery at the start of the force's life was a distraction from the day job.

So with House leaving in November, there is an opportunity to put things right.

Problems won't just walk out the door with the chief constable.

Scotland needs a properly functioning police watchdog, tighter political control and support, a respected chief constable and far more accountability.

Only then can Police Scotland top brass win back public support and return to focusing on the job.

## Lord help us

**THE latest intake of cronies, has-beens and retirees to the House of Lords is proof once again that the establishment is long past its sell-by date.**

The second chamber is an anachronistic farce in our supposedly respected democracy. Not everyone will remember the name Douglas Hogg – until you recall he's the Tory twit who claimed expenses for cleaning his moat.

Well, he's one of the new peers who can help shape the laws of the land.

In among them is also bra saleswoman Michelle Mone while, down the pecking order, former Treasury chief Danny Alexander has been knighted.

That's the same man dumped by his constituents just three months ago.

It would be churlish not to recognise that, within the ranks of the latest intake of Lords, there are a number who still have something to offer public life.

In that group fall former Labour chancellor Alistair Darling and former Lib Dem leader Menzies Campbell.

If this country insists on continuing with an unelected second chamber, it really should be filled with capable people.

But surely everyone should waken up and accept that the unelected House of Lords has had its time and a better replacement must be found.

# HE'S GONE POLICE HEAD HANDS

# HOUSE IS

## Chief constable finally bows to pressure and says he will quit early

**UNDER-FIRE** Sir Stephen House yesterday caved in to pressure and announced he is quitting his job early after a series of high-profile blunders at Police Scotland.

The chief constable revealed he will leave at the end of November, long before the expiry of the contract he had planned to see out, which ends in 2016.

Critics rounded on him for a series of failures in the force since they were formed in April 2013.

Public confidence hit rock bottom when Lamara Bell, 25, and John Yull, 28, died after their car crashed off the M9 near Stirling in July.

The couple spent three days in the mangled vehicle after a call to police was not properly logged.

House tried to blame an officer for failing to take a proper note, but a probe has been launched into wider problems at call handling centres.

The force was also in the spotlight over the death in custody of Sheku Bayoh after officers in Kirkcaldy used CS spray, pava spray, handcuffs and two types of restraints on him.

House has also been criticised over the force's stop-and-search policy, and for the routine arming of police without consultation.

In recent weeks it has also been alleged that the force broke snooping rules to spy on journalists.

House said he was falling on his sword at a meeting of the Scottish Police Authority near Stirling, a few miles from the M9 crash site.

But the 57-year-old refused to address criticisms – saying the force had "achieved a great deal".

He added: "After nearly 35 years as a police officer, with the last nine as a chief constable in Scotland, I believe the time is right for me to try and take up new challenges and also to allow the start of a process to recruit my successor.

"There remains a lot to do, but

**JOHN FERGUSON AND JANE HAMILTON**

[j.ferguson@dailyrecord.co.uk](mailto:j.ferguson@dailyrecord.co.uk)

knowing as I do the quality of our officers and staff, I'm confident that the challenges will be met.

"I'm immensely proud to be the first chief constable of Police Scotland and to lead the men and women in it, but for me the time has come to move on, to take up new opportunities."

In his report to the SPA, House dodged dealing with the glaring failings that left him with no option but to step down.

He said it was with a "degree of frustration" that he was unable to comment on the details of the

Bayoh and M9 cases other than to send condolences to the families.

When asked to comment on allegations the force broke rules to snoop on journalists, he said he couldn't because of ongoing investigations.

House, chief constable of Strathclyde Police from 2007 to 2013, oversaw the amalgamation of Scotland's eight regional police forces into the single national force.

While he received a round of applause at yesterday's meeting, there was little praise or sympathy elsewhere for a man who has earned the reputation of having an arrogant indifference to public opinion.

Sheku Bayoh's partner Collette Bell said: "I lost my Shek and I cry every day when I wake up and look at my son's face. How sad that I no longer have faith in the police to help."

"It didn't help that House's officers lied to us about how Shek died, or that House was meeting the officers behind our backs. House might be gone but the problem goes much deeper than him."

Lawyer Aamer Anwar, who is representing the Bayoh family, said: "It would be extremely dangerous if the Scottish Government now believe that the problems are



**LEAVING** House outside the meeting in Stirling. Picture: Garry F McHarg



Family anger as second M9 victim Lamara dies and insiders claim police handling can't cope

resolved by the departure of the chief constable."

Lamara Bell's brother Martin welcomed the news.

He said: "He is ultimately responsible for the actions of his force and while he did not personally ignore the phone calls regarding my sister's accident he is the chief and must take the responsibility for failures within his organisation."

James McMillan, the grandfather of Lamara's five-year-old son, Kieran, urged House to go now.

He added: "The Daily Record has helped to keep this issue in the minds of the public and we will continue to fight for justice for all involved."

Politicians warned that House's decision to step down early will not

solve the problems within Police Scotland.

Opposition parties blamed the Scottish Government, accusing them of cutting budgets and failing to ensure proper oversight.

Graeme Pearson, Scottish Labour's justice spokesman, said those cuts "have left the force under-resourced and overworked".

He added: "Officers and staff work round the clock to keep people safe. The controversy of this summer has dragged their reputation through the mud."

Scottish Lib Dem leader Willie Rennie said: "Decapitating the chief constable won't solve the deep-rooted problems in Police Scotland."

Scottish Conservative leader

## Who will be next top cop?



**STEVE ALLEN** - Police Scotland Deputy Chief Constable (Major Events)  
Allen, pictured left, was a commander in the Met Police and deputy chief constable of Lothian and Borders Police.

**GEORGE HAMILTON** - PSNI Chief Constable

Started at the PUC, made Strathclyde Police assistant chief constable in 2002 before returning to Belfast in 2011.

**ROSE FITZPATRICK** - Police Scotland Deputy Chief Constable (Local Policing)  
Joined City of London Police

in 1987 and the Met in 1998. Became deputy assistant commissioner in 2005 and deputy chief constable in 2012.

**IAN LIVINGSTONE** - Police Scotland Deputy Chief Constable (Crime & Operational Support)  
Joined Lothian and Borders



## Departing police chief warns of controversial options to find £11 million to balance the books

BY GREG RUSSELL

**C**HIEF Constable Sir Stephen House has warned that Police Scotland may have to present some "politically unacceptable" options to the Scottish Government to balance its books this year.

The national force yesterday failed to present a scheduled action plan to close its £11 million funding gap to the Scottish Police Authority (SPA), and the authority heard that the position could be worse next year.

House said an action plan could not be finalised because some of the proposed measures "would not be acceptable to a wide range of people throughout the country".

He said he could theoretically "pull together an option that would completely balance the budget" but questioned if this would be "politically acceptable" for the Scottish Government and SPA.

The authority's chairman, Vic Emery, said the third year of Police Scotland, which was formed in 2012, was always going to be financially challenging, and warned: "If we think this year is difficult, wait until next year."

SPA member Iain Whyte called for an assurance that House would "take the best endeavours to bring us an action plan that will balance the budget and that you will take the action to balance that budget by the end of the financial year".

House replied: "I wouldn't

term what may come forward as an action plan at this moment, in the first stage, because I think what we need to bring forward initially is the true gap and what are all the possible actions that could, in theory, be taken.

"If we were to put all of the possible actions into a budget action plan, I think that would be misleading, because there are a number of actions which we could in theory take which would not be acceptable to a wide range of people throughout the country.

"I'm not trying to equivocate, but I don't think we should call it an action plan at this stage."

He added: "There is a significant budget gap at this time and I'm not 100 per cent clear at this moment in time that any action that we can take will balance the budget completely.

"It may, but that depends on what the SPA, we and the government think is an acceptable action to take.

House said he would be "quite prepared" to pull together an option that would "completely balance the budget".

He added: "Whether that is going to be something that is politically acceptable is another matter.

"I do think there will be a need for some high-level discussions between the SPA, Police Scotland and the Scottish Government in terms of how the budget problems are resolved in this current year."

Emery said: "It's not an easy matter - it is a complex matter, and, as the chief constable has said, we always knew it would be difficult this year. I have to say, if we think this year is difficult, wait until next year."



has fed down to negative perceptions of police officers and support staff who are doing a great deal of good work across our communities. "His early departure is one call that Sir Stephen has got right," **John Finnie, Independent MSP for the Highlands & Islands and justice spokesperson, Scottish Greens**

"In the last month Stephen House had become a convenient scapegoat for all the

problems in Police Scotland. It would be extremely dangerous if the Scottish Government now believe that the problems are resolved by the departure of the chief constable or if he is replaced by someone that does not instil confidence in police officers or the general public." **Aamer Anwar, solicitor**

"Sir Stephen House was given the impossible task of merging Scottish policing into one police force, while having to meet political targets of 1,000 extra

police officers, and at the same time introducing a £1.1 billion efficiency savings target. These targets had little to do with good policing.

"Over 1,700 police staff have left their jobs while Police Scotland has been beset with problems. The Scottish Government must now review their manifesto pledge to maintain 1000 extra police officers as it is not working." **George McIrvine, branch secretary of UNISON Police Staff Scotland**

"I have little doubt that history will prove to be kinder to Sir Stephen than the current commentary, which at times has been vindictive and deeply personal. Many people feared that a single police service could be susceptible to political interference and those who have called for the head of the chief constable as some form of trophy need to consider that." **Brian Docherty, chairman of the Scottish Police Federation**

"There have been challenges

but we are learning the lessons and addressing the issues. We continue to make good progress on the reform journey.

"The people of Scotland deserve exemplary policing delivered by an exemplary police service and we will continue to work with Police Scotland, the chief constable and his successor, and the new chair of the Scottish Police Authority to ensure this is the case."

**Michael Matheson, Justice Secretary**

# Finally ... House bows to pressure and quits

Chief constable to stand down months earlier than planned

BY GREG RUSSELL

**S**IR Stephen House yesterday bowed to what many saw as the inevitable and announced that he will stand down as Police Scotland's chief constable by the end of the year following severe criticism over a series of high-profile incidents.

He had previously indicated that he would not seek another police job when his contract ended in September 2016, but yesterday he told a meeting of the Scottish Police Authority (SPA) in Stirling: "The dilemma is that as the leader of a national organisation that provides a vital public service 24 hours a day, every day of the year, there is never going to be a convenient time to move on."

"But after nearly 35 years as a police officer, with the last nine as a chief constable in Scotland, I believe the time is right for me to try and take up new challenges and also to allow the start of a process to recruit my successor."

"Police Scotland has achieved a great deal already, including a new national approach to domestic abuse and sexual attack... the ending of a postcode lottery approach to the provision of specialist services and an improved ability to deal with major incidents and events."

"There remains a lot to do, but

## KEY STEPS IN THE FALL

**December, 2013** Politicians and civil liberties groups express concerns about figures which show that by the end of the year, some 640,000 stop searches had taken place across Scotland, with 25,000 of them involving children.

**October 2014** After growing criticism of the number of armed police being deployed on the beat, House announces a reversal of his policy. Several months later, armed police are spotted going into a Tesco for their lunch. Later that month, House refuses to confirm or deny whether his force tapped journalists' phones.

**May 3, 2015** Sheku Bayoh dies on a pavement in Kirkcaldy minutes after being detained by police. The 11 officers involved were not interviewed by investigators from the Police Investigations and Review

Commission for more than 30 days. It emerges that Bayoh was hit by CS gas, pepper spray and batons, and his family are still pressing for full details to be given.

**July 5, 2015** Lamara Bell, a young mother of two children, lay undiscovered for three days after being seriously injured in a car accident off the M90. Police failed to respond to a report of a motorway crash with the blame for that omission being laid at the door of an officer in a police call centre at Bilston. Lamara Bell subsequently died of her injuries. Her partner, John Yuill, had lain dead beside her for three days.

**August 4, 2015** Police Scotland asked to confirm or deny that it has been deploying illegal surveillance devices on at least two journalists in a bid to discover the identity of sources. No reply yet given.

knowing as I do the quality of our officers and staff I'm confident that the challenges will be met."

House, a former chief constable of Strathclyde Police, oversaw the amalgamation of Scotland's eight regional forces in April 2013.

However, since then it has been hit by a series of controversies.

It came under fire after the M9 collision in July in which Lamara Bell, 25, and John Yuill, 28, died. The couple had spent three days in their crashed car after a call to police was not properly logged,

prompting House to apologise to their families.

Police Scotland has also faced criticism over issues such as the stopping and searching of children and the routine arming of officers.

It is being investigated by the Police Investigations and Review Commissioner (PIRC) over the death of 31-year-old Sheku Bayoh in custody.

Bayoh's family have made repeated calls for answers over the incident in Kirkcaldy in May, and earlier this week met Lord

Advocate Frank Mulholland to voice their concerns.

Referring to both cases at yesterday's meeting, House said: "I also want to give my sincere commitment that where mistakes have been made, we will learn from those mistakes, and any recommendations which will improve the performance of Police Scotland in relation to incidents like this will be taken on board without question."

House said there was "an understandable degree of frustration" that Police Scotland has not directly addressed the two incidents.

"I want to make it clear that we are not able under law to answer fully at this moment in time," he said.

"We would like to give full and frank answers to the questions that are quite legitimately being asked, but we are not able to do that because there are independent investigations being run by PIRC, by the Crown and by HMICS, and it would be highly inappropriate for us to offer responses while these investigations are still going on."

**T**HE force has also faced questions over whether it was one of two in the UK to use the Regulation of Interception of Communications Act (RICA) to

spy on journalists, without seeking judicial approval.

SPA member Jeane Freeman asked House to comment on the investigation by the Interception of Communications Commissioner's Office (IOCCO), but he again cited ongoing investigations as a reason for saying nothing.

He said: "This is something that's being done across the UK and there is no final report or finding yet. Therefore I'm not able to say anything beyond what we've already put out to the public which is virtually saying nothing."

First Minister Nicola Sturgeon thanked House for his service with Police Scotland and Strathclyde Police.

She said: "Strong policing has ensured recorded crime is at a 40 year low. Sir Stephen provided leadership at a crucial time and his strong focus on tackling violent crime made a major contribution to that achievement."

"I also recognise his powerful and long-standing focus on tackling domestic violence and sexual crime. At a time when we are celebrating a century of women in policing, his track record in encouraging and supporting women in the service should also be recognised."

"The policing of major events when Scotland was in the international spotlight such as last year's Commonwealth Games and the Ryder Cup was also exemplary."

## REACTION

"Officers and staff work round the clock to keep people safe. The controversy of this summer has dragged their reputation unfairly through the mud. The process of reforming Police Scotland can begin now if the SNP Government are willing to take responsibility for their mistakes."  
**Graeme Pearson, Scottish Labour's justice spokesperson, former deputy chief constable of Strathclyde Police**

"Decapitating the chief constable won't solve the deep rooted problems in Police Scotland. A new chief carrying on as if nothing is wrong will cement the problems rather than solve them."  
"The early resignation of Chief Constable Stephen House reveals the chaos at the heart of Police Scotland ... ultimately the SNP Government must accept responsibility for this chaos."  
**Willie Rennie, Scottish Liberal Democrat leader**

"Sir Stephen is clearly bowing to the inevitable. His leadership has been a source of controversy from the outset and Police Scotland needs a fresh start. It's essential that his replacement is up to the task of tackling the problems that have afflicted the single force since its inception."  
**Ruth Davidson, Scottish Conservative leader**

"He guided Police Scotland's development of innovative domestic abuse policing -

policing that focused on perpetrators and their criminal behaviour, rather than on the ability of women experiencing domestic abuse to protect themselves and their children."  
"In doing so, he was supported by Scottish police officers already committed to responding effectively to domestic and sexual violence, and we are confident that policing in Scotland will continue to improve."  
**Dr Marsha Scott, chief executive, Scottish Women's Aid**

"Rather than responding to wise counsel, both within and without the police service, Sir Stephen placed armed officers in our communities and inflicted industrial levels of stop and search across the country."  
"It is inappropriate to pre-empt the outcome of the ongoing inquiry into tragic loss of life following the M9 road incident, however, it has long been apparent that the chief constable does not enjoy the public support that his post demands and regrettably this

FRIDAY AUGUST 28, 2015

# THE NATIONAL

THE NEWSPAPER THAT SUPPORTS AN INDEPENDENT SCOTLAND

50p



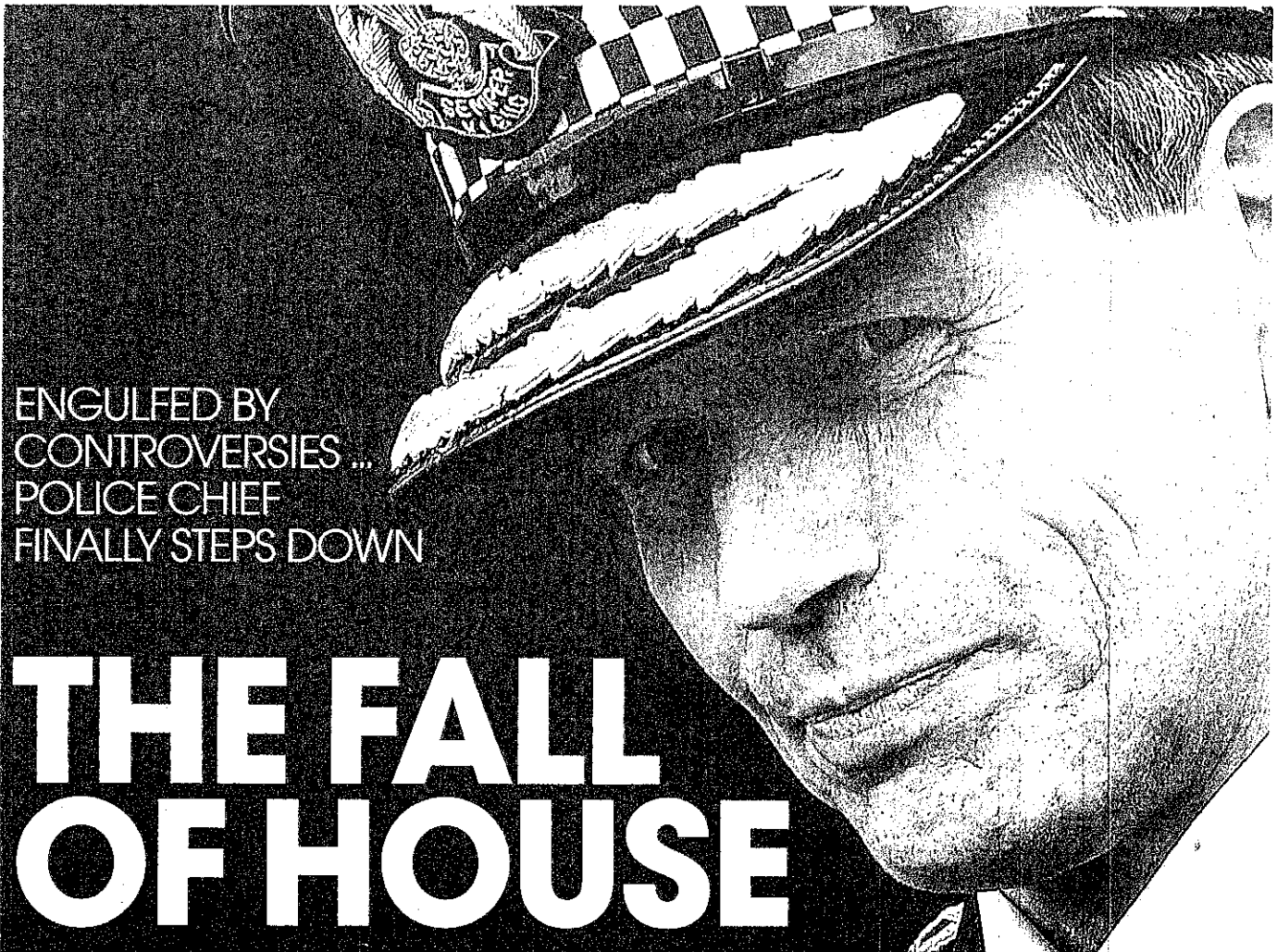
The couple who said aye do with help from the First Minister  
Page 4



The horror of Hurricane Katrina remembered 10 years on  
Page 28



Sturgeon on why the BBC is not fit for purpose in Scotland  
Page 14



ENGULFED BY CONTROVERSIES ... POLICE CHIEF FINALLY STEPS DOWN

# THE FALL OF HOUSE





Chief Superintendent Andy Morris in Stirling yesterday. Picture: Hemedra

## Sir Stephen's four deputies now in running for top job

CHRIS MARSHALL

THE recruitment of Sir Stephen's successor will be undertaken by the Scottish Police Authority (SPA). Among the front-runners are likely to be Police Scotland's four deputy chief constables.



**DEPUTY CHIEF CONSTABLE IAIN LIVINGSTONE**  
A former assistant chief constable with Lothian and Borders Police,

he has responsibility for crime and operational support within Police Scotland. He appeared before MSPs earlier this year to defend the force amid criticism over armed policing.

**DEPUTY CHIEF CONSTABLE ROSE FITZPATRICK**  
She is a former deputy assistant commissioner with the Metropolitan Police, who led a team on police reform while a commander with the London force. Earlier this year, she appeared before a meeting of the SPA to explain errors with the collection of stop-and-search data.



**DEPUTY CHIEF CONSTABLE NEIL RICHARDSON**  
He is a former deputy chief constable with Strathclyde Police, where

he served under Sir Stephen.

**DEPUTY CHIEF CONSTABLE STEVE ALLEN**  
He oversaw the security operations for the Commonwealth Games and Ryder Cup last year. He is currently seconded to the Scottish Government.



## Violence and economic recovery 'linked' amid police budget woe

MARK McLAUGHLIN

A RISE in violent street crime could be driven by increases in disposable income and rising alcohol consumption as the economy improves, Chief Constable Sir Stephen House has suggested.

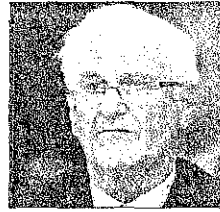
Violent crime increased by 5 per cent between April and June compared with the same quarter last year, with the overall increase attributed to 97 more serious assaults in that timeframe, a meeting of the Scottish Police Authority (SPA) heard.

Home Office research indicates that improvements in the economy have been linked to "an increasing propensity to violence in society", Sir Stephen told the SPA meeting in Stirling.

Sir Stephen also revealed a "robbery problem" in Edinburgh, with the city revealed to be Scotland's hotspot for the offence. He said: "We are seeing an increase in violent crime. It's heavily skewed by common assault, because it's a much greater proportion of violent crime."

"I think we're seeing an increase not in domestic disputes, which is going down slightly, but actually in the public space, which is a flip back to where we were."

"For the last few years we've been seeing big reductions in public-space violence and we have been more worried about



Vic Emery warned budgets would get even tighter

what is going on behind closed doors.

"That seems to have reversed again and we are not yet in a position to say why."

"We have commissioned some research and we're looking at a number of potentials, but I don't want to say that these are the reasons."

"One potential is that with the economy, some might say, on the upturn again, there is a bit more disposable income around. Research in the past from the Home Office has suggested that when there is more money around, then there is a greater propensity to violence in society."

"That is not universally agreed amongst analysts but it seemed to hold true for a few decades and that may be an issue."

Sir Stephen also said Police Scotland may have to present some "politically unacceptable"

options to the Scottish Government to balance its books this year.

Police Scotland failed to present a scheduled action plan to close its £11 million funding gap to the Scottish Police Authority (SPA) yesterday.

Sir Stephen said that they cannot finalise an action plan because some of their proposed measures "would not be acceptable to a wide range of people throughout the country".

He said he could theoretically "pull together an option that would completely balance the budget" but questioned whether this would be "politically acceptable" for the Scottish Government and SPA.

SPA chairman Vic Emery said the third year of Police Scotland, which was formed in 2012, was always going to be financially challenging and warned: "If we think this year is difficult, wait until next year."

SPA member Iain Whyte called for an assurance that Sir Stephen will "take the best endeavours to bring us an action plan that will balance the budget and that you will take the action to balance that budget by the end of the financial year."

Sir Stephen said: "There is a significant budget gap at this time and I'm not 100 per cent clear at this moment in time that any action that we can take will balance the budget completely."

**GENUINE SINCE 1937**

Book your FREE eye test today!

Fr **£99**

complete

spectaclesdirect

0131 553 9000  
25 Stewartfield  
Edinburgh EH6 5RQ  
www.spectaclesdirectedinburgh.co.uk

Probably the largest stock of Ray-Bans in Scotland. Instore | Online | Mobile

**SHEKU BAYOH**

FATHER-OF-TWO Sheku Bayoh died in police custody following an incident in Kirkcaldy on 3 May. His family have been extremely critical of police, alleging they were told five different versions of what happened.

Police Scotland has been unable to comment on the incident while an investigation is carried out by the Police Investigations and Review Commissioner (Pirc).

However, the Scottish Police Federation, a staff association, has said a female officer was left badly injured and "tearing for her life" during the incident.

Earlier this month, the Pirc submitted an interim report to the Crown Office, which is considering if a criminal prosecution will take place.



**SPYING ROW**

EARLIER this month, a Sunday newspaper claimed Police Scotland was one of two UK forces that had broken the rules about spying on journalists and their sources.

The Interception of Communications Commissioner's Office (IOCCO) is investigating possible breaches of its code of practice but will not name the forces involved while its inquiry is ongoing.

Asked about the allegations during yesterday's Scottish Police Authority meeting, Sir Stephen said he had "nothing to add" while the IOCCO probe was ongoing.

Investigative journalist Eamon O Connor claimed in an interview with the BBC earlier this month that police had monitored his communications while he investigated the 2005 unsolved murder of Emma Caldwell.



# Chief constable quits amid 'deep rooted' problems

FROM PAGE ONE

many challenges and will continue to do so. There remains much to do, but knowing - as I do - the quality of our officers and staff, I am confident that the challenges will be met. The dedication and commitment of our people is outstanding and will serve Scotland well in the future under a new chief constable."

Sir Stephen's announcement surprised many, coming only a week after he issued a statement defending his force in the face of growing criticism.

He had also resisted calls for his resignation in the days following the M9 incident.

Ms Sturgeon said Sir Stephen's focus on tackling violent crime had played a part in recorded crime falling to a 40-year low.

She said: "I also recognise his powerful and long-standing

## SCOTSMAN COMMENT

The problems that have arisen on Sir Stephen House's watch are both numerous and significant, bringing mounting criticism on our top cop. Page 30

focus on tackling domestic violence and sexual crime. At a time when we are celebrating a century of women in policing, his track record in encouraging and supporting women in the service should also be recognised.

Reform of policing in Scotland was absolutely vital to sustain the policing upon which Scotland's communities depend and Sir Stephen's contribution to that was invaluable. As a result,

policing in Scotland continues to perform extremely well and the service deserves great credit for this. Moving to a single service is safeguarding frontline policing from Westminster cuts.

Sir Stephen has faced criticism over his handling of a range of issues, from stop and search to armed policing. As well as the M9 crash controversy, there is also an investigation by the Police Investigations and Review Commissioner (Pirc) into the death in custody of Kirkcaldy man Shelu Bayoh earlier this year. Recently it has also been alleged Police Scotland is one of two UK forces to breach guidelines on intercepting the communications of journalists.

Scottish Lib Dem leader Willie Rennie said: "A new chief carrying on as if nothing is wrong will cement the problems rather than solve them."

"Ultimately, the SNP government must accept responsibility for this chaos. They rammed through the centralisation of our police service despite warnings. They set up the toothless Scottish Police Authority. They appointed the Chief Constable."

"With the departure of the Chief Constable there is an urgent need for a wider inquiry into Police Scotland."

Labour's justice spokesman Graeme Pearson, a former deputy chief constable of Strathclyde Police, added: "This is the right thing to do, and on behalf of Scottish Labour I would like to extend thanks to Sir Stephen House for his years of service."

"However, we know the problems in Police Scotland extend far beyond the Chief Constable. It was only a few weeks ago that the First Minister gave her full

backing to Sir Stephen, and now the SNP government can no longer hide behind him."

"Police Scotland has had to endure months of controversy which has seriously damaged public confidence. This could have been avoided if ministers had taken responsibility."

Lawyer Aamer Anwar, who is representing the family of Mr Bayoh, said: "Stephen House had become a convenient scapegoat for all the problems in Police Scotland. It would be extremely dangerous if the Scottish Government now believes that the problems are resolved by the departure of the Chief Constable."

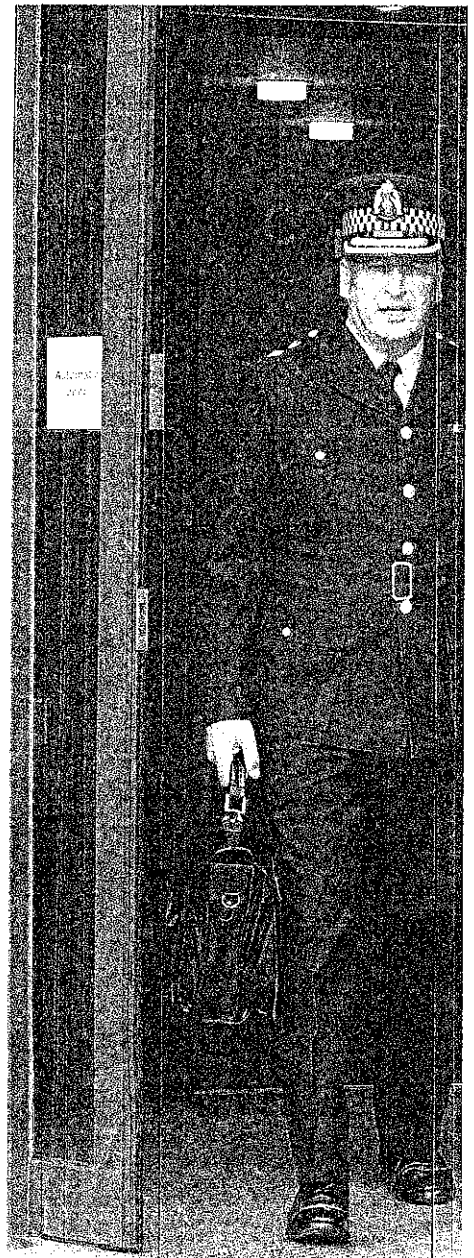
Sir Stephen's announcement comes ahead of the publication of a Police Scotland staff survey, which is expected to be made public next month. Senior officers have already warned that the survey is likely to bring "bad news" for the single service.

But there was support for Sir Stephen yesterday from the rank and file. Brian Docherty, chairman of the Scottish Police Federation, said: "[Sir Stephen] has delivered the most significant public sector restructuring in a generation against a background of a brutal austerity agenda."

Unison branch secretary George McIrvine, who represents civilian police staff, said: "Sir Stephen was given the impossible task of merging Scottish policing into one police force."

"Over 1,700 police staff have left their jobs while Police Scotland has been beset with problems. The government must now review its manifesto pledge to maintain 1,000 extra police officers as it is not working."

COMMENT, PAGE 32



Outgoing Police Scotland Chief Constable Sir Stephen House with

**DriveAway**  
CarLoans.com

Get your car loan  
the smart way

- ✓ Exclusive low rates
- ✓ No deposit required
- ✓ Buy from any dealer
- ✓ Borrow up to £75k

Apply online now

**driveawaycarloans.com**

or call **0333 313 0303**

Powered by **247**  
**carfinance**

Carfinance247 is authorised and regulated by the Financial Conduct Authority. Carfinance247 is a licensed credit broker. All finance is subject to status and income. Written quotation on request.

## DOGGED BY CONTROVERSY

### STOP AND SEARCH

THE longest-running controversy faced by Police Scotland surrounds its use of stop and search.

A well-used tactic under some of the previous regional forces, the number of stop-searches across Scotland actually fell following the set up of the single force. However, it grew exponentially in areas of the country that had not previously used the tactic.

The force was caught out after figures obtained by the BBC appeared to show young children were continuing to be searched, despite assurances from senior officers to the Scottish Parliament that the practice had been stopped. Stop and search is currently being reviewed by an independent advisory group set up by the Scottish Government. It is expected so-called consensual stop and search will be abandoned altogether.

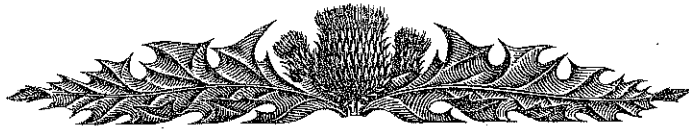
### M9 CRASH

POTENTIALLY the most serious controversy facing Police Scotland is the fall-out from its handling of the M9 crash, which claimed the lives of Lamara Bell and John Yull, pictured. The couple's crashed car was not discovered for three days after a call from a member of the public was not properly logged. According to Ms Bell's brother, his sister was still conscious and trying to escape when her rescuers arrived. She later died in hospital. The Police Investigations and Review Commissioner (Pirc) has launched an inquiry, while HM Inspectorate of Constabulary in Scotland is reviewing call handling at Police Scotland's control centres.



### ARMED POLICING

WHILE armed officers had operated under three of the legacy forces, the decision to extend a standing authority across the whole of the country caused controversy when gun-carrying police were seen on the streets of Inverness. Sir Stephen initially defended the decision in the face of widespread criticism before announcing armed officers would attend only armed incidents and those where there was a "threat to life". A poll for the Scottish Police Authority found a "narrow majority" of the public backed allowing armed officers to attend routine incidents with visible firearms.



# THE SCOTSMAN

FRIDAY 28 AUGUST 2015

SCOTLAND'S NATIONAL NEWSPAPER

£1.40 SUBSCRIPTION PRICE: £112

WWW

INSIDE: 20-PAGE PULL-OUT

## Festival Guide

- + Half-price tickets
- + Reviews
- + Hour-by-hour guide
- + Venue map



# Scotland's police chief quits after weeks of pressure

### Sir Stephen House to leave role as head of Police Scotland in wake of M9 row

CHRIS MARSHALL  
HOME AFFAIRS CORRESPONDENT

SCOTLAND'S top police officer is to step down amid mounting criticism of his force following a number of major controversies.

Sir Stephen House, 57, who has led Police Scotland since it formed in 2013, said he had been "immensely proud" to be chief constable, but the time had come to take up new opportunities.

He had been expected to stand down once his contract expired in September next year. But appearing before a meeting of the Scottish Police Authority (SPA) yesterday, Sir Stephen said he would now leave in December.

First Minister Nicola Sturgeon was among those paying tribute to the Chief Constable, but political opponents welcomed his decision to resign.

Police Scotland has been embroiled in controversies since the merger of the eight regional forces two years ago.

Last month, the force issued an apology following the deaths of Lamara Bell

and John Yuill in a crash on the M9. The couple spent three days in their car after police failed to properly log a call about the incident. Ms Bell's brother Martin said Sir Stephen's decision was something his family had been "looking for".

Addressing the SPA board in Stirling, Sir Stephen said: "As the leader of a national organisation that provides a vital public service 24 hours every day of the year, there can never be a convenient time to move on, but after nearly 35 years as a police officer and the last nine as a chief constable in Scotland, I believe the time is right for me to take up a new challenge and thereby allow the process to recruit my successor to begin."

"Much has been achieved since the creation of Police Scotland and I firmly believe that Scotland is better served for it. Not only in managing the changes brought about by reform and substantial financial cuts, but most importantly in the public service we provide."

He added: "Policing has always faced

CONTINUED ON PAGE 4



Sir Stephen House yesterday announced he will step down in December. Picture: PA

## Sturgeon accuses BBC of indyref imbalance

NICOLA Sturgeon accused the BBC of failing to create a "level playing field" over its coverage of the independence referendum at the Edinburgh International TV Festival yesterday.

The First Minister said the broadcaster's coverage had been let down by "lapses" and a "significant imbalance in how the consequences of a Yes or No vote were scrutinised".

However, she said that she did not believe there was "institutional bias" in the organisation's referendum output and said the BBC had "some of the finest political journalists in the land".

Ms Sturgeon agreed it was appropriate for the Yes campaign to be the more widely scrutinised of the two referendum options but added the status quo and consequences of voting No "were not really analysed at all".

Her address follows an appearance by writer Armando Iannucci at the festival, in which he warned against political interference in the BBC.

FULL STORY, PAGES 6&7

## Mone joins host of new faces in Lords

BRA tycoon Michelle Mone is one of 45 new peers to be announced by Downing Street yesterday.

The entrepreneur is reported to have received the news in a phone call from David Cameron.

The new peers came in the dissolution honours, which included a knighthood for former Liberal Democrat chief Treasury secretary Danny Alexander.

FULL STORY, PAGE 12

# OVER SCANDALS RAN OUT



**JUNE 14, 2013**  
Knighted in Queen's Birthday honours

**JANUARY, 2014**  
Stop & search figures show Scots 4 times more likely to be targeted than in England

**MAY 3, 2015**  
Sheku Bayoh dies in police custody

**JULY 8, 2015**  
Lamara Bell and John Yuill found dead after three days in M9 car wreck

**AUG 27, 2015**  
House resigns

## ● Scapegoat spares SNP flak, says rival

call centres about a road crash on the M9 was ignored. Lamara Bell, 25, and her partner John Yuill, 28, lay undiscovered in their car for three days and when cops finally arrived he was dead and she died later in hospital.

House's resignation comes before a watchdog's report is published next week into the chaos in police control rooms.

Other scandals included gun-toting cops deployed on the streets routinely and under-12s stopped and searched despite a promise the practice would stop.

There is also the ongoing probe into the death in custody of Sheku Bayoh, 31, in Kirkcaldy in May.

Foray leader Ruth Davidson said House was "bowing to the inevitable". She added:

"His leadership has been a source of controversy from the outset. But let's not forget the buck stops with the Scottish Government and the SPA."

Greens justice spokesman John Finnie said quitting was "one call Sir Stephen has got right".

But Mr Rennie warned: "Decapitating the chief constable won't solve the deep-rooted problems in Police Scotland. Ultimately the SNP government must accept responsibility for this chaos."

"They rammed through the centralisation of our police service despite warnings - they set up the toothless SPA."

Justice Secretary Michael Matheson said: "There have been challenges but we are learning the lessons and addressing the issues."

During his time in charge, House won praise for the policing of the Commonwealth Games last year and for tackling organised crime and domestic violence. Scottish

Women's Aid chief Dr Marsha Scott said Police Scotland's handling of domestic abuse cases was "unmatched anywhere".

And Niven Rennie, president of the Association of Scottish Police Superintendents, hailed the merging of the eight forces amid tough financial constraints.

He said: "This was the biggest challenge in our policing history and it was his leadership and commitment that made it a reality."

Brian Docherty, chairman of the Scottish Police Federation representing rank-and-file officers, added: "Sir Stephen has made a monumental contribution to policing."

House showed a hint of emotion as he gave his resignation speech at the end of a two-hour SPA meeting in Stirling.

He said: "I'd like to pay proper tribute to the men and women of Police Scotland who deserve all the recognition and who deserve recognition from the public for all that they do."

"I'm immensely proud to be the first chief constable of Police Scotland and to lead the men and women in it but for me the time has come to move on."

Following a round of applause by 24 SPA members, chairman Vic Emery said: "I firmly believe he has been the right individual at the right time to lead Police Scotland."

Earlier in the meeting, House offered condolences to the families of Mr Bayoh and the M9 victims.

He said: "I also want to give my sincere commitment that where mistakes have been made that we will learn from those mistakes."

*russell.findlay@the-sun.co.uk*  
The Sun Says - Page Eight



Deaths and dignities - House stayed silent as Sun backed victims' families

He's bowing to inevitable but buck stops with Holyrood

**TOO BIG FOR HIS BOOTS**  
See pages 6 & 7

# ATED HOUSE



# OUT HOUSE GOVT PATIENCE

## TOO LITTLE, TOO LATE FOR LAMARA



Crash death... John

**THE** shattered dad of M9 crash victim Lamara Bell last night said House's resignation was "too little, too late".

Andrew Bell, 50, of Falkirk, said: "I suppose for a lot of folk his resignation is a victory but for mine it's just another day when I have to pick up Lamara's bairn. It's another day when I have to do a mother's job.

"In my opinion, it's too little, too late. It doesn't change anything. We've just got to cope."

Lamara and boyfriend John Yuill were in a car crash on

**EXCLUSIVE**  
By GAIL CAMERON

the M9 near Stirling in July. John, 28, died at the scene but officers took three days to respond to calls about the motor while Lamara, 25, lay in agony. She died in hospital.

Lamara's brother Martin, 32, said he was "over the moon" at House's decision.

He added: "He had to resign. It's something the family were looking for. There's a fault in the system and he was in control of that."



Lay in car... Lamara

## THE GRIM BLUE LINE

Rise and fall of cop boss

SEP 18, 2007



Appointed chief constable of Strathclyde Police

APRIL 1, 2013



Police Scotland formed from 8 regional forces

## Top cop 'forced out of door' by ministers

**SIR** Stephen House was forced out by ministers sick of the toxic scandals engulfing Police Scotland, it was claimed last night.

Lib Dem leader Willie Rennie believes Nicola Sturgeon lost patience with the under-fire chief constable who she backed just six months ago.

House's resignation comes four days before the publication of a report into the M9 crash fiasco, which is expected to lay blame at the door of senior officers.

And Mr Rennie insisted House had been forced to go before MSPs return to Holyrood from the summer recess next week to deal with the inevitable fallout.

He said: "It's pretty clear that he's been pushed - it looks like the government are trying to scapegoat him in advance of the new parliamentary session."

"They've been lying low on this, while they were the reason for creating the situation in the first place."

House, who supervised the birth of the single national force two years ago, announced his resignation at a meeting of the Scottish Police Authority yesterday. He said: "There remains a lot to do but knowing as I do the quality of our officers and staff, I am confident that the challenges will be met."

The dedication and commitment of our people is truly outstanding and I know will serve Scotland well in the future under a new chief constable."

First Minister Ms Sturgeon said in a tribute: "Strong policing has ensured recorded crime is at a 40 year low. Sir Stephen provided leadership at a crucial time and his strong focus on tackling violent crime made a major contribution to that achievement."

But Labour, Tory and Lib Dem MSPs welcomed his departure. House previously suggested he would stay in the job until his five-year contract ends in September, 2016. Ms Sturgeon had told Holyrood she had "full confidence" in £306,100-a-year House.

But a string of controversies dented public support for the force. In July, a tip-off to the Bilsdon Glen

By RUSSELL FINDLAY, CHRIS MUSSON, ANDREW NICOLL and SAM WHYTE

at a meeting of the Scottish Police Authority yesterday. He said: "There remains a lot to do but knowing as I do the quality of our officers and staff, I am confident that the challenges will be met."

The dedication and commitment of our people is truly outstanding and I know will serve Scotland well in the future under a new chief constable."

First Minister Ms Sturgeon said in a tribute: "Strong policing has ensured recorded crime is at a 40 year low. Sir Stephen provided leadership at a crucial time and his strong focus on tackling violent crime made a major contribution to that achievement."

But Labour, Tory and Lib Dem MSPs welcomed his departure. House previously suggested he would stay in the job until his five-year contract ends in September, 2016. Ms Sturgeon had told Holyrood she had "full confidence" in £306,100-a-year House.

But a string of controversies dented public support for the force. In July, a tip-off to the Bilsdon Glen

## YOUR TEA'S OOT, STEPHEN



Continued from Page One  
victims Lamara Bell and John Yuill. Top brass are expected to face flak in the watchdog report.

We can reveal force chiefs were briefed by HM Inspector of Constabulary

Derek Penman, left, on Tuesday about his findings. His dossier will go to Justice Secretary Michael Matheson next week. An insider said: "You have to wonder if House jumped before he was pushed."



Ford EcoSport from £159 per month on Ford Personal Lease Stop dreaming

NEW FORD ECOSPORT Titanium 1.0-litre EcoBoost 125PS, urban 42.8 (6.6), extra urban 60.1 (4.7), combined 52.3 (5.4). Official CO2 emission 129g/km.



Go Further

Official fuel consumption figures in mpg (l/100km) for the Ford EcoSport Titanium 1.0-litre EcoBoost 125PS: urban 42.8 (6.6), extra urban 60.1 (4.7), combined 52.3 (5.4). Official CO2 emission 129g/km.

The above figures are based on official EU regulated test procedures (EU Directive and Regulation 607/2008) as provided for comparable purposes and may not reflect your actual driving experience. You will own the vehicle as the end of the agreement. Finance subject to lending. Supplier's/lessee's/finance provider's consent is a condition of the agreement. Excess charges will be applied for mileage in excess of 10,000 miles per annum. Excess mileage charge £150 per mile. Excess charges also apply if the car is not returned and maintained in accordance with the manufacturer's guidelines, and returned to retail lease as a condition commensurate with the Retailer's/lessee's/finance provider's consent. Four conditions for the use and mileage. Package includes Road Ford Logo and Ford Logo. Insurance. Price correct at time of going to press and are subject to change without notice. Not available with any other conditions. For full terms and conditions and specification please refer to the Ford Lease/Finance agreement and/or Ford Dealer. Ford Personal Lease is provided by JLD Automotive Limited trading as Ford Lease. Approved Ford Dealer. Licence No. 9999999. Bristol, 3501 19. Payment cannot be used if you are in any way in breach of your contract with us.

# HAU

NEED A BREAK FROM WORK?

# HOLIDAYS FROM £9.50

TOKEN 7: PAGE 24

199 PARKS



Road horror ... Mat

## Bake Off star killed my bloke

EXCLUSIVE  
By JAMES BEAL

A WIDOW told of her grief for her husband who was killed in a road smash with Great British Bake Off star Mat Riley. Biker Michael Turner, 51, died after Mat's car pulled into his path.

Pillion rider Diana was badly injured in the tragedy in Uckfield, Sussex, in 2000.

She said: "I miss him every day." Contestant Mat, 37, is a fans' favourite on the hit BBC1 show.

Full Story - Page Nine

PICTURE EXCLUSIVE



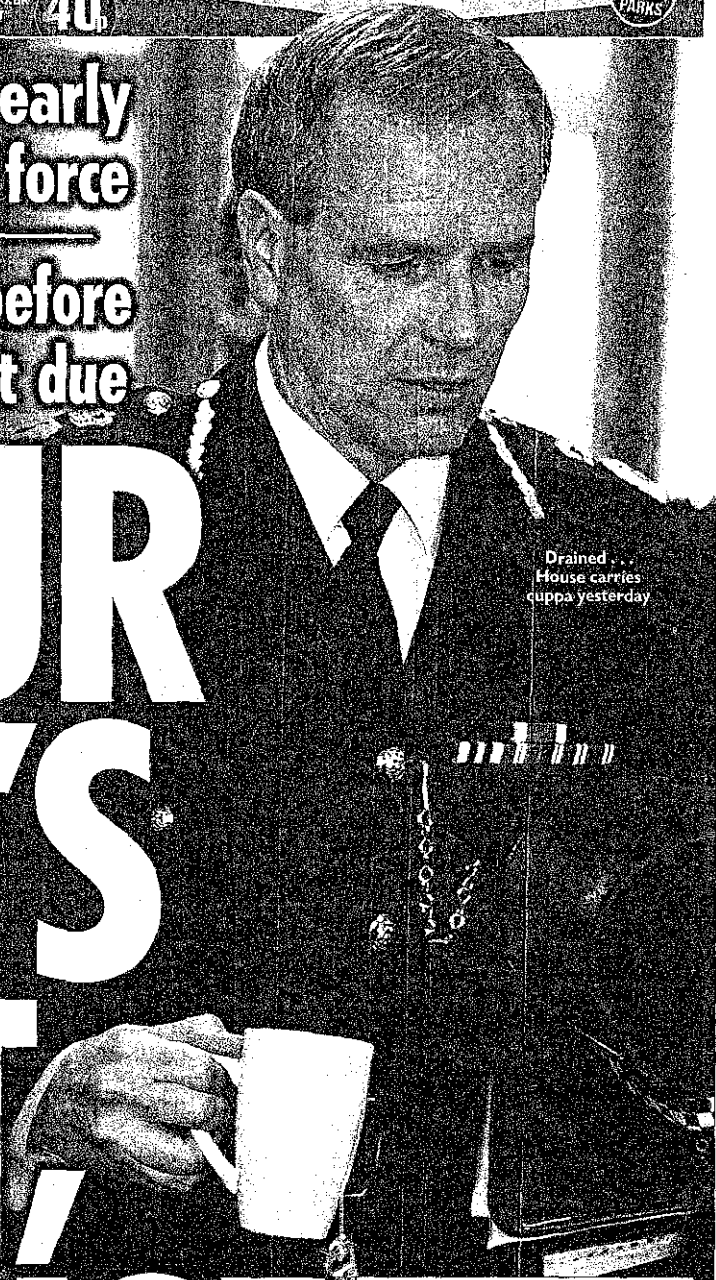
## Strictly line-up revealed

SEE PAGES 20 & 21

## Top cop quits early as scandals rock force

## Resigns days before M9 deaths report due

# YOUR TEA'S OOT, HOUSE



Drained ... House carries cuppa yesterday

By RUSSELL FINDLAY and SAM WHYTE

SIR Stephen House bowed to mounting pressure over a string of scandals and quit as the country's top cop yesterday.

House, 57, announced he will leave his Police Scotland chief constable post in December - nine months before his contract ends.

Sources claim he chose a quick exit after he learned details of a damning report into the deaths of M9 crash

Continued on Page Four

## 'SNP must accept the responsibility'

Continued from page 1

Scotland's eight regional constabularies, Sir Stephen became a lightning rod for criticism of the SNP government.

His leadership was repeatedly questioned, with the Labour party lodging a motion calling for his departure in the Scottish parliament last month.

Yesterday, opposition parties called on the Scottish government to take responsibility for the problems at the national police force.

Willie Rennie, the Scots Liberal Democrat leader, said: "Ultimately, the SNP government must accept responsibility for this chaos. They rammed through the centralisation of our police service despite warnings. They set up the toothless Scottish Police Authority. They appointed the chief constable."

Graeme Pearson, the Labour justice spokesman, said: "Police Scotland has had to endure months of controversy which has seriously damaged public confidence in the police service. This could have been avoided if ministers had taken responsibility."

Michael Matheson, the justice minister, will make a statement to parliament when MSPs return to Holyrood next week. Nicola Sturgeon thanked Sir Stephen for an invaluable contribution to the reorganisation of policing.

One senior officer described the decision as "sudden but not unexpected". He added that Sir Stephen had admitted privately he found the personal nature of some criticism difficult.

Vic Emery, who chaired his last meeting of the SPA yesterday, said that Sir Stephen had been "the right individual at the right time" to lead Police Scotland through the "combined challenges of major reorganisation, fundamental reform, and reduced funding".

Alluding to criticism of Sir Stephen's leadership, Mr Emery added: "Sometimes the public don't always see the real person behind the public profile."

Brian Docherty, the chairman of the Scottish Police Federation, said: "I have little doubt that history will prove to be kinder to Sir Stephen than the current commentary which at times has been vindictive and deeply personal."

As a parting shot, Sir Stephen warned the SPA that Police Scotland may have to present some "politically unacceptable" options to the Scottish government to balance its books this year.

Mr Emery said the third year of Police Scotland, formed in 2012, was always going to be financially challenging and warned: "If we think this year is difficult, wait until next year."

Leading article, page 29

## Holyrood's 42 unsolved crimes

Jeremy Watson

Police are investigating a series of crimes committed at the Scottish parliament.

New figures have revealed that dozens of offences have occurred at the Holyrood building in Edinburgh over the past two years, with the majority of them going unsolved.

Officers have been called in to investigate a range of allegations including theft, malicious damage, the sending of offensive emails and possession of drugs.

The figures have been revealed by Police Scotland in response to a free-

dom of information request. They show that of the 51 crimes that took place at the parliament since the start of 2013, 42 remain unsolved.

The offences include 37 thefts, six instances of behaving in a threatening or abusive manner, and five cases of vandalism. The thefts were carried out despite parliament officials spending millions of pounds on security measures to deter crooks.

John Lamont, MSP, the Scottish Conservatives' chief whip, said: "It is obviously concerning that so many crimes are being committed within the Scottish parliament."

"We must have robust security

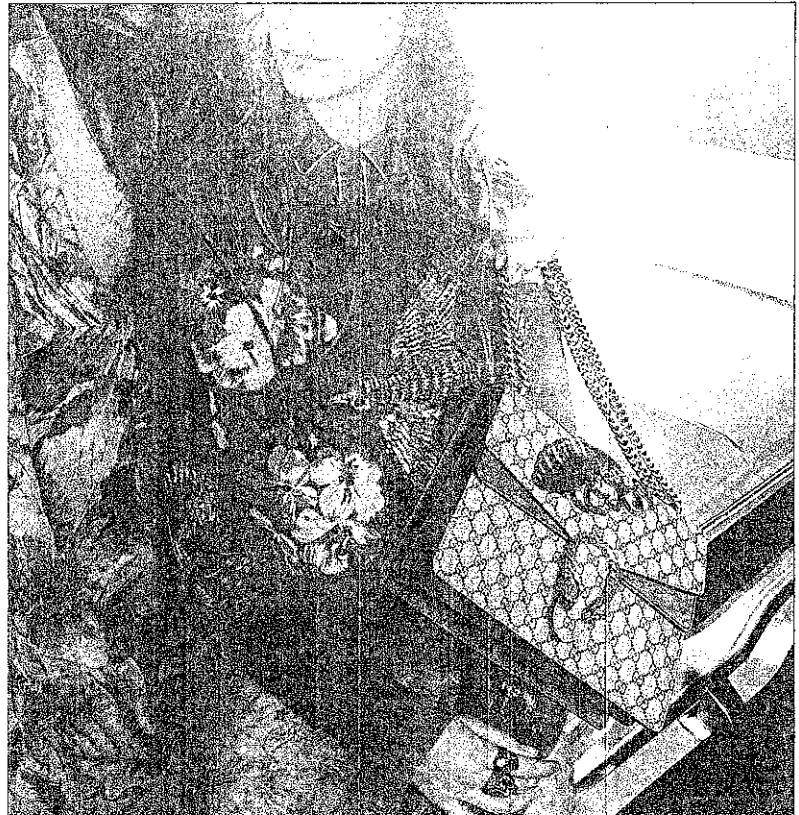
measures in place, so the highest possible vetting and checks are carried out on all new staff."

Most of the cases of theft involved property belonging to MSPs, their staff or Scottish parliament staff.

Items stolen included cash, mobile phones, keys, a pair of trainers and a box of biscuits.

Police Scotland has a Scottish parliament police unit with a dedicated officer stationed at the building.

The £414 million building operates an airport-style scan and frisk system on visitors, and two years ago a security extension costing £6.5 million was opened.



GUCCI

officers during an incident in Kirkcaldy and was pronounced dead hours later in hospital. The Police Investigations and Review Commissioner (Pirc) is investigating. Early on July 5, the car carrying John Yuill, 28, and his partner Lamara Bell, 25, careered off a motorway. A man called police to report the incident but

Controversial cases include those of Sheku Bayoh, far left, Lamara Bell, and routine arming of police

officers never followed it up. It took three days, and another call, for the couple to be discovered. Mr Yuill was dead, Ms Bell was still alive, but seriously injured and dehydrated. She died later in hospital.

An urgent review of police call handling is under way. Pirc is also conducting an inquiry into the case.





News Police Scotland

# 'Relentless' career cop who simply lost public confidence

Sir Stephen took such personal control that it was hard for him to avoid blame for failings, Alex Massie writes

**S**ir Stephen House has enjoyed presenting himself as the very model of a modern cop while in the spotlight as chief constable of Police Scotland. Eschewing the jacket and tie usually favoured by officers of his seniority, he has preferred to appear in public dressed in skin-tight T-shirts of the type worn by officers on patrol. This projection of muscular confidence chimed with Sir Stephen's view of himself. As Scotland's top officer, he never doubted himself. "People will tell you that's not a problem I have," he said.

Born in Glasgow in 1957, Sir Stephen was a career policeman who, unusually, served in six different forces before ascending to the top job at Police Scotland, Britain's second largest police force. He joined the police after graduating from the University of Aberdeen because he admired the "clarity" of its "discipline" and because "the idea of it being a sort of secret, closed-off society was appealing". His career ends, however, with unanswered questions about Police Scotland's accountability.

At least until yesterday, Sir Stephen's confidence in his own ability was matched only by the confidence vested in him by the Scottish government.

"Everyone will look at leaders and say they are arrogant. It's arrogant to say you're not arrogant," he told one interviewer. "I don't like being told what to do by people that are incompetent and make mistakes and don't know what they're doing". The relationship between Sir Stephen and Kenny MacAskill, the justice secretary who appointed him, remained impenetrable.

By his own account, Sir Stephen became a better cop the higher up the chain of command he moved. He was a "hard-working" street cop but life in the lower ranks was not his "natural game".

"Other cops were better at talking to people than I was. It may be that I was a bit too judgmental."

"I don't switch off," Sir Stephen once said, admitting that, apart from his love of fast motorbikes, "I really haven't got an 'out with the police'. There isn't much else." Asked to describe himself in a single word, he chose "relentless". In such circumstances, the chief constable



**'I care about it, otherwise I wouldn't be doing the job I'm doing two years after I could have retired'**

became as responsible for the force's shortcomings as he was for its successes.

"I do take a lot of it personally," he said in 2013. "I care about it, otherwise I wouldn't be doing the job I'm doing two years after I could have retired."

Every morning he received a report detailing every serious crime committed anywhere in Scotland in the previous 24 hours. A renewed focus on domestic crime became a hallmark of the force he led and helped to explain his

whole-hearted and very public support for the Scottish government's football-related antisectarianism legislation.

Sir Stephen oversaw the amalgamation of Scotland's eight police forces into the new, single Police Scotland operation. As the former chief constable of Strathclyde police, he was the natural choice to lead the new force.

A national force would, at last, ensure a degree of uniformity across Scotland, ending the "postcode lottery" whereby different forces would have different approaches to "policing by consent". Unavoidably, it would also concentrate power in the hands of the chief constable who led it.

Nevertheless, the so-called "Strathclydeisation" of Scottish policing proved controversial.

In Edinburgh, a Glasgow-style crackdown on brothels rejected the capital's long-standing policy of taking a more relaxed approach to the sex trade.

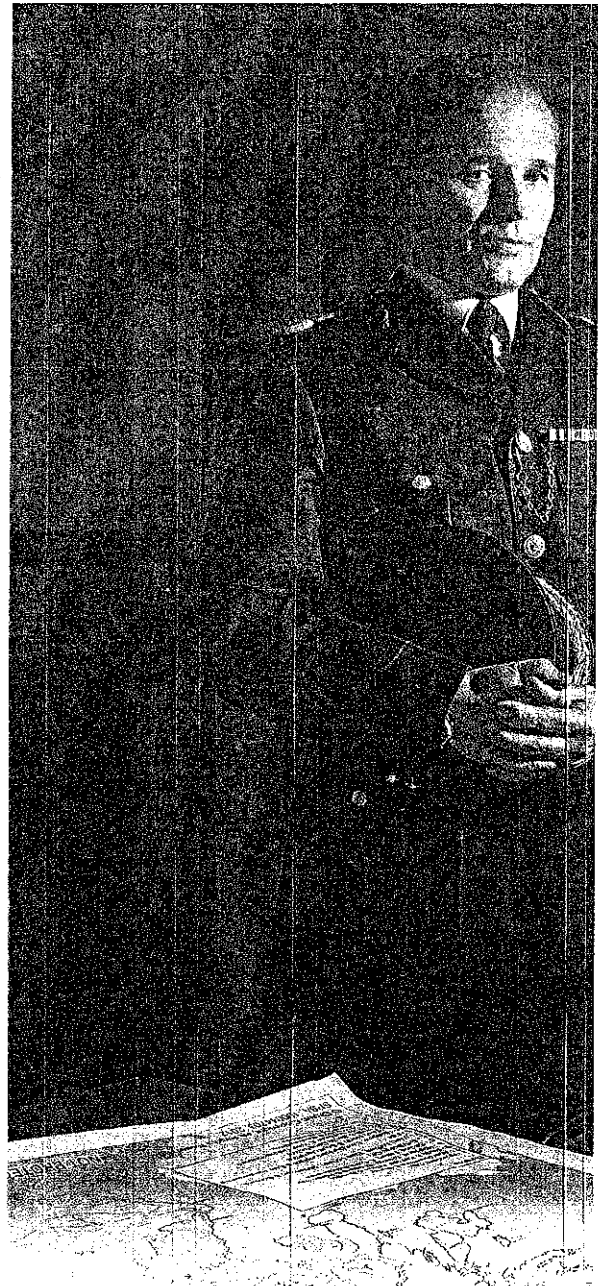
Elsewhere, armed officers were deployed on routine operations and, damagingly, continued to be seen armed in public after Sir Stephen had promised the practice would end.

Similarly, statistics obtained via freedom of information requests revealed that Police Scotland continued to stop and search children long after it had assured ministers that the practice would be ended. Stop-and-search rates in Scotland remained significantly higher than anywhere else in the United Kingdom.

Sir Stephen's admirers noted that violent crime fell by 49 per cent during his years in charge at Strathclyde.

Meanwhile, across Scotland, crime has fallen to a 40-year low even though the service has had to cope with significant budget cuts. His detractors, however, noted that comparable falls in crime had been achieved in other, less controversial, forces too.

"I want people to value Police Scotland as a national asset," Sir Stephen said. But with opposition politicians calling for his resignation and the force beset by one public relations embarrassment after another, confidence in the police — and in his leadership — was palpably waning. His resignation, it became clear, was all but inevitable.



## Litany of controversies: Saunas, stop and search, guns, death in custody and motorway tragedy

Sir Stephen House's tenure at the top of Police Scotland has been beset by criticism since he took the job at the new amalgamated force in 2013.

- The £280,000-a-year police chief came to power having won a turf war with Vic Emery, head of the Scottish Police Authority (SPA), the body charged with overseeing the force. In

the wrangle, the SPA lost control of information technology and human resources.

- In the first six months of Sir Stephen's tenure, 150 officers raided saunas across Edinburgh. The establishments had public entertainment licences and were seen as a way of keeping sex workers safe. Sir Stephen, the former

chief constable of Strathclyde police, was accused of imposing a "Glasgow-centric" style of policing across Scotland and failing to understand the arrangements of different areas.

- Shortly after, a row erupted over stop and search, with more than



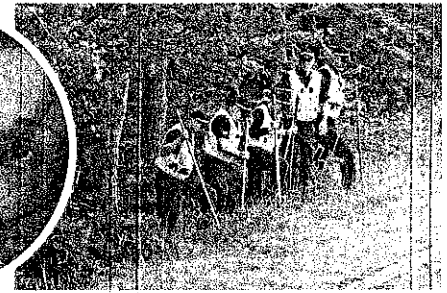
300,000 incidents in the force's first five months and 500,000 in its first year. Earlier this year, it was revealed that one in every five people in Glasgow was stopped and searched by police.

The majority of these were non-statutory, meaning officers had no legal basis or reason to suspect those they stopped. Sir Stephen backed down over criticism and promised to reform the policy. Yet in February, it emerged Police Scotland was still using the tactic far more than forces in the rest of the UK.

- The next battle was over police officers



routinely carrying guns on patrol. Members of the public became increasingly vocal about seeing armed officers turn up to non-violent incidents. Despite



assurances in October 2014 that the practice would stop, it transpired this March that armed officers had responded to 1,600 routine incidents since.

- Problems for Sir Stephen's leadership escalated in May with the death of Sheku Bayoh in police custody. The 31-year-old was restrained by up to nine

# THE TIMES



SCOTLAND

FRIDAY AUGUST 28 2015 | THE TIMES.CO.UK | NO 71698

Printed in Scotland

Only 80p to print members £1.20



Max 21C min 8C

## 2-for-1 tickets for top Fringe shows



SEE PAGE 4 OF YOUR EDINBURGH 2 SUPPLEMENT FOR DETAILS

### Arts on Friday

Theatrical  
Beasts



Victory roll Usain Bolt was knocked over by a cameraman on a Segway as he celebrated winning gold in the 200m at the World Championships in Beijing. Page 68

## MPs caught in expenses row awarded peerages

Francis Elliott Political Editor  
Lucy Fisher, Ashley Cowburn

More than a dozen former MPs were handed peerages yesterday despite being caught out in the expenses scandal. Among them was a Tory grandee who billed taxpayers for cleaning the moat on his country estate.

David Cameron was accused of an "expensive insult to the public" as he gave honours to friends and allies including 14 Downing Street staff, and peerages to five former special advisers and two party donors.

Among the new Conservative peers was Michelle Mone, who in May announced her decision to leave Scotland.

Alistair Darling, the former chancellor and head of the Better Together campaign, Sir Menzies Campbell, the former Liberal Democrat leader, and Sir Malcolm Bruce, the party former deputy leader, will also join the Lords.

Mr Cameron has now created more peers than any other modern prime minister and at a faster rate.

Nick Clegg handed honours to four former party donors while ensuring that 11 new Liberal Democrat peers were created — three more than the party's present tally of MPs. Ed Miliband nominated the aide who ran Labour's most disastrous election campaign since 1983.

In total, 45 peers were created, sending House of Lords membership to a record high of 866. The latest influx is estimated to add another £1.2 million to the upper chamber's costs, which already run at £94 million a year. The former Conservative chancellor Lord Lamont of Lerwick warned that the latest slew "runs the risk of making the place look so ridiculous, it implodes".

Katie Ghose, of the Electoral Reform Society, said: "At a time when the government is talking about reducing the cost of politics, this announcement is an expensive insult to the public." The "arms race" to pack the Lords with placemen showed that the system was "well and truly bust", she added.

As well as the new peerages, Mr Cameron showered staff and political aides with honours, from a knighthood for his constituency agent to the British

Continued on page 8, col 1

## Police Scotland chief to go early after criticism

Sir Stephen House brings 35-year career to an end

Paris Gourtsouyannis

Scotland's top police officer announced yesterday that he was bringing his troubled tenure to an end as pressure on the national force mounted.

Sir Stephen House, Police Scotland's chief constable, said that he would be leaving his role in December, with publication of a number of reviews of the organisation's conduct looming.

Signalling the end of his 35-year career in policing, Sir Stephen said he

would be pursuing "new challenges" and that "the time is right" to begin the recruitment of a successor.

News of his departure sent shockwaves through the Scottish political establishment when it emerged as a board meeting of the Scottish Police Authority (SPA) was getting under way.

Reviews of the police's handling of emergency calls and a rise in violent crime were on the agenda.

Police Scotland is being investigated following the deaths of two people in a

car crash on the M9 which officers failed to attend for three days after a call to police was not acted upon. A senior officer told the SPA yesterday that staffing levels at the police call handling centre "were not sufficient".

An inquiry by the Police Investigations Review Commission is also being conducted into the death of Sheku Bayoh, a father of two, in police custody in May. Police Scotland also faces claims that it spied on journalists and their sources and it has been criticised

for massive over-use of a controversial stop-and-search policy aimed at reducing juvenile crime.

Under a mounting weight of scrutiny and criticism and calls for his resignation, Sir Stephen, who was due to retire in September next year, finally gave way a week after issuing a strong defence of the national model of policing that he helped to create.

Tasked with delivering millions of pounds of savings while merging

Continued on page 5, col 2

## High-tech plan to save ancient sites from Isis

Tom Coghlan  
Middle East Correspondent  
Oliver Moody Science Correspondent

A team of digital-age "monuments men" are to launch an unprecedented fightback against the destruction of ancient sites in the Middle East by Islamic State.

Archaeologists at Oxford and Harvard will flood the region with 3D cameras in a plan to create a full digital

record of every threatened artefact.

If the treasures they photograph are destroyed by Isis, the academics will harness 3D printing technology to reconstruct them in the same style as the original antiquities.

The plan was revealed to *The Times* after the obliteration by Isis of the 2,000-year-old temple of Baal Shamim in Palmyra in Syria this week — the latest action in the worst spate of archaeological destruction since the

Second World War.

In a letter from the Oxford-based Institute for Digital Archaeology (IDA), which conceived the £2 million project, the group said it aimed to "flood the Middle East with thousands of low-cost 3D cameras and enlist local partners to photograph as many items of historical significance as possible".

The institute, working with the heritage body Unesco, aims to gather five million images of antiquities, from

sprawling Mesopotamian palaces to handfuls of coins and pottery, by the end of the year. In a race against the bulldozers and sledgehammers of Isis, it plans to compile 20 million pictures of objects before 2017.

"Palmyra is rapidly becoming the symbol of Isis's cultural iconoclasm," Roger Michel, the institute's director, said. "If Isis is permitted to wipe the slate clean and rewrite the history of a region

Continued on page 3, col 1

THE HERALD 28.08.15

# The Herald

FOUNDED ON MONDAY JANUARY 27, 1783

## House passes on a less poisoned chalice

As he chooses to step down as the first Chief Constable of Police Scotland, we cannot yet know if history will be kind to Sir Stephen House. The events and politics of the past three years are not what he would have wanted as he leaves office nine months early.

Since being sworn in as the country's most senior police officer in October 2012, six months ahead of formal force reorganisation, he has faced the sheer logistics of merging nine constabularies into one amid wave after wave of political noise offstage and some uncomfortable decisions and events, some avoidable, others less so.

Born in Castlebank, he spent his adolescence in London. When he came back after a successful career working his way north he cut a feisty but impressive figure. It is worth recalling that many politicians calling of late for Sir Stephen's head and bemoaning the force merger actually backed the creation of Police Scotland.

Labour joined the SNP in voting in favour, the Conservatives abstained and the only opposition came from the Liberal Democrats and Greens. Increasingly strident criticism of the force in some quarters has smacked of hypocrisy.

The Herald backed the idea of a single force in principle but with the proviso that local accountability and decision-making would be safeguarded by creating designated local senior officers for every council area with a statutory duty to work with councils to shape local services. The failings in this area might be the most damning verdict by history on Sir Stephen.

Resentment has festered within the force, with mutters about "House rules" and being "House trained", while the new force was instrumental in the jettisoning of Edinburgh's social policy

of using regulated saunas to control street prostitution.

A similar apparent heavy-handedness in the extension of Strathclyde force approaches to armed policing to the Highlands was another case in point, fuelling an unnecessary controversy over how and when trained police officers should deploy their guns.

Too often, Strathclyde writ large became public relations disasters. There is a justification for saying that decent youngsters who wanted weekend fun in Glasgow were happy to submit to a voluntary search in order to feel more confident that they were entering a knife-free zone. That is the epitome of what flexible, local policing should be.

But extending "voluntary" searches across the country and applying them to young children seemed absurd. Who could not see that? From the earliest days of the single force the fall-out between the Chief Constable and Scottish Police Authority chairman Vic Emery was a high-profile own goal for the creation of a new service, and here the blame lay squarely with the Scottish Government. Ministers should never have allowed this to become a public spat.

But in becoming our most senior police officer Sir Stephen inadvertently became a political figure, and politicians stand or fall by the impact of events. His is a public role and he became a lightning rod for criticism on high-profile issues from those who failed to land a blow on the SNP Government. Police Scotland were not their only target after the M9 deaths and the death in custody of Sheku Bayoh. It all piled up, threatening to bury the achievements of delivering the unified force, and the successful policing of the Commonwealth Games. Having overseen the creation of Police Scotland, Sir Stephen perhaps hands on a less poisoned chalice.

## Case is compelling for root and branch Lords reform

NOT since Harold Wilson's 1976 Resignation fiasco has there been such a scandalous set of announcements to the peerage as yesterday's. The row over Wilson's Lavender List four decades ago was that he awarded peerages to Labour's enemies in the business community. Strangely innocent days, these seem now.

While paying lip service to the democratic requirement to reform the House of Lords, Conservatives have often talked the talk then tip-toed back whenever it came down to it. As that doughty defender of the hereditary principle, Lord Sudeley once put it: "If it isn't broken, why mend it?"

The trouble for the likes of this Monday Club veteran is that almost everyone else thinks the Lords is broken and needs to be mended. Another 45 appointments, taking membership above 800, makes the point. Wry observations about the Lords being the world's second biggest political chamber after China's National People's Congress are no longer amusing. Quite simply, the House of Lords must be reformed to become an elected forum within a more federal system.

As to yesterday's appointments, a case can be made for the likes of

Michelle Mone, a lingerie entrepreneur with a decidedly mixed track record in her business career, to be considered in the same light as a former Tory leader and Foreign Secretary, the former Labour Chancellor of the Exchequer who saw us through the banking crash, and a Liberal Democrat grandee?

When Ms Mone was revealed as the Government's business start-ups czar we reported doubts within the business community about the appropriateness of the appointment and we were criticised by her publicists for doing so.

Her impending elevation to the Lords was heavily trailed but it was not inevitable. The Government could have drawn back from making this rather divisive figure a peer. In spite of widespread concerns about her Government business role, her appointment to the Lords has gone ahead. In addition, a slew of yesterday's appointments came from the ranks of former Tory ministerial advisers. Even the Taxpayer's Alliance, usually doughty supporters of Conservative policy, joined in the criticism, saying: "David Cameron promised to cut the cost of politics, but with this additional phalanx of peers appointed to an already overcrowded House of Lords, taxpayers are entitled to question his commitment to that goal."

The Labour and Liberal Democrat leaders were happy to go along with the

# Letters

## Gather all the facts before implementing NHS changes

WRITE TO: The Editor, 1 200 Ranfield letters@thel

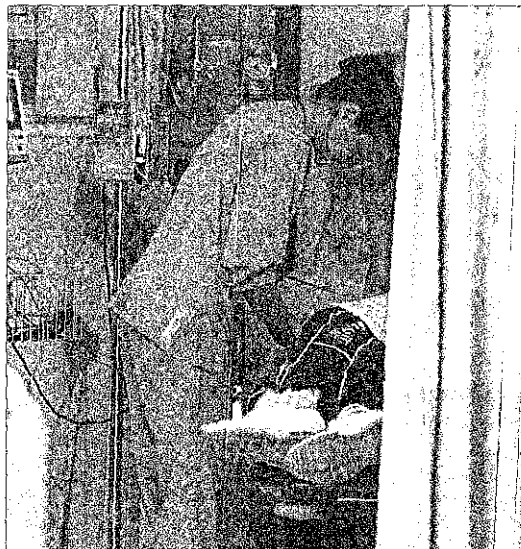
CREDIT to The Herald for sponsoring the Creating a Healthier Scotland summit, and to Health Secretary Shona Robison for seeking an open debate. The challenge will be to move on from a Tower of Babel in which politicians, managers and clinicians all talk at once, in different languages, serving different imperatives.

While many struggle to cut the various Gordian knots in which the NHS is tied, a useful first step would be to recognise long-standing shibboleths for what they are. For example, there is the notion reported in Helen McArdle's piece ("Minister: Patients would travel to super-hospitals", The Herald, August 26) that A&E attendances peak in mid-winter. As I am sure Dr Jason Leitch, the national clinical director for the Scottish Government knows, statistics show the months with highest A&E attendances are generally from May to September (the quietest month is February), whereas I imagine it is in winter that patients are slower to recover and/or need more step-down care, whether in hospital or community.

This in turn applies pressure on other services, and the move toward integration of health and social care, however tricky it may be to implement, shows a determination to avoid service anomalies and smooth the patient journey.

But resources are always going to be at a premium, so decisions cannot be made on the basis of hunch or hubris, and proposals for service change must be built on measurable bases. Thus the job description of that Alexander to cut the knot must include the analytical nous to take a complex wiring diagram and simplify it. **James Sandeman, 3 Scoonie Place, Newton Mearns.**

YOU are to be congratulated for your NHS Time For Action campaign. As



A SUITABLE CASE FOR TREATMENT: NHS services, including accident and emergency, have been the focus of an acclaimed Herald campaign.

someone in a rural location heading as an ageing OAP into the zone for increasing need for health care, I fully support the idea of centralised high-volume, high-quality healthcare.

However, the rider I would add is: we must have affordable and convenient access by way of transportation.

The remaining conundrum is the fact that local health boards appear to gobble resources, providing little obvious return, when they should be able to act as a screening service for the basic diagnostics to support the centres without the need to endlessly

compete for that which could be provided nearby. **Thomas Law, Boarhills, Cromlech Road, Sandbank, Argyll.**

WE are advised that early presentation at hospitals can be important for accident and emergency cases. Every minute can be crucial in speedy diagnosis, prompt treatment and successful outcomes.

On about 30 per cent of my recent journeys from the north by car on Wednesday mornings to the Queen Elizabeth University Hospital I have been delayed by a temporary closure

## Clerks will work with a petitioner wherever possible

I MUST take issue with Dorothy Grace Elder's claim, which I consider baseless, that Scottish Parliament staff are "systematically" blocking petitions ("Holyrood petitions revamp call after hundreds blocked", The Herald, August 25). The article also failed to provide proper context for readers, that for a petition to be accepted it must call for action that is within the Parliament's powers and must relate to a national policy or practice.

Proposals that do not meet these criteria cannot be accepted under Parliament's rules. In those circumstances committee clerks will work with a petitioner wherever possible to find a way forward, or suggest alternative avenues, but to allege clerks are blocking petitions is a

misrepresentation of the true nature of the committee and its work. **John Pentland MSP, Convener of the Public Petitions Committee, The Scottish Parliament, Holyrood, Edinburgh.**

A COUPLE of years ago I tried to elicit from the Scottish Parliament information relating to the performance and management of public petitions.

I asked what I thought were perfectly reasonable, pertinent and sensible questions.

How many petitions have been presented to the Scottish Parliament in the past 10 years?

How many of these petitions have been upheld?

How many of these petitions have been turned down?

How many petitioners were satisfied with the outcome of their petition?

What is the average length of fit for processing a petition from submission to decision being made by the Scottish Parliament?

The Scottish Parliament move heaven and earth to try and avoid answering these questions. It took more than a year to get some sort of response. I had to go to the Scottish Information Commissioner, who eventually issued a damning Dec Notice that was highly critical of Parliament's handling of my request for information.

Eventually I was given an official written apology on behalf of the

## Downturn in the North Sea oil sector has extract

A YEAR ago Alex Salmond claimed that the value of oil in the North Sea was worth "£300,000 for every man woman and child in Scotland". In response Alistair Darling said: "For Alex Salmond to treat us as fools by telling us that is like saying that the

responsibility and ignored the fact that the oil assets were mainly owned by foreign companies.

So how has Aberdeen been impacted upon since the collapse of the oil price and following the latest job losses in the sector? The

have had their salaries cut and practices made harder. Then the multiplier effect which affects those who are reliant primarily on oil industry who have also been their jobs by the thousands. Making matters worse is the



THE HERALD 28.08.15

Herald Living

Three great recipes from Bake Off winner Frances Quinn PLUS gardening and tips to improve your memory.

LIVING - PAGE 22



Alison Rowat

Politicians suffer a blind spot when it comes to the BBC. They fail to see that the corporation works for the listener and viewer, not for them.

OPINION - PAGE 13

Susan Fyfe

The achievements of Serena Williams are as incredible as Roger Federer's but she seems to be somewhat less appreciated.

SPORT - PAGE 12



# Sir Stephen faces long charge sheet of poor management

### Outgoing chief faces the fallout from many controversies

#### BACKGROUND

VICTORIA WELDON

SIR STEPHEN HOUSE has faced mounting pressure and criticism in recent months following a string of controversies.

His decision to bring forward his resignation comes ahead of a number of reports which could prove to be damning for the force.

The issues adding to the pressure on police chief include:

#### M9 crash

Police Scotland came under fierce criticism after they failed to attend at the scene of the crash, near Strirling, until three days after it was reported.

When officers finally arrived, John Yuill was found dead at the scene, while his partner Lamara Bell was taken to hospital where she died a week later.

Her Majesty's Inspectorate of Constabulary in Scotland (HMICS) is conducting a review into the force's call handling in light of the incident, while the Police Investigations and Review Commissioner (PIRC) is also conducting a probe.

At a meeting of the Scottish Police Authority (SPA) yesterday, Sir Stephen offered his condolences to the families involved and promised his "sincere commitment" that the force will learn from any mistakes and take on board any recommendations that may follow.



JOHN YUILL: Found dead at crash scene, three days after call to police.

#### Shoku Bayoh

The father-of-two died in police custody after being detained by officers during an incident in Kirkcaldy on May 3.

The force faced criticism from Mr Bayoh's family. The incident is being investigated by the PIRC.

Sir Stephen again offered his condolences to the family of Mr Bayoh yesterday, adding that the force was unable to comment publicly on the circumstances of the incident as the investigation is still underway.

#### Spying row

The force is said to have broken the rules on identifying journalists' sources using the Regulation of Investigatory Powers Act (RIPA), which allows authorities to access phone records, e-mails and texts.

Under new regulations introduced this year, judicial approval must be sought before such information - which includes the who, where and when of data, rather than content - can be retrieved.

It was revealed last month that two forces had breached the new rules - with one later being revealed as Police Scotland.

Sir Stephen told the SPA he expects a report from them 'in weeks rather than months'.

#### Stop and Search

Police Scotland faced long-running controversy over its use of non-statutory stop and searches after it emerged thousands of children and teenagers had been searched without any evidence of wrongdoing.



LAMARA BELL: Was found alive with John Yuill but later died in hospital.

In March this year, the force confirmed it would introduce a presumption against consensual searches.

In a report submitted to the SPA yesterday, Sir Stephen confirmed the changes had resulted in a 'complete reversal' of the consensual to statutory search ratio, which now sits at 70/30 in favour of statutory searches.

#### Staff survey

The results of an officer and staff engagement survey are due to be published next month and it has been claimed they will make 'very uncomfortable reading'.

The survey closed at the end of June and the Scottish Police Federation, which represents 98 per cent of police officers in Scotland, claims it will show its

members are 'working harder and longer than ever, face greater disruption than ever before and that in parts of the service they are at breaking point'.

Sir Stephen told the SPA that the results are being analysed and will be published by the end of September, in line with surveys at other public bodies.

#### Armed Police

The force was last year criticised over a perceived increase in armed officers when it changed the way they carry their guns from keeping them in locked boxes in their cars to carrying them in holsters. This meant firearms officers were more likely to be seen by the public.

The HM Inspector of Constabulary criticised the way the public was informed about it.

### Who will now succeed as police chief?

#### Contenders to replace Sir Stephen House

DCC Neil Richardson OBE joined Lothian and Borders Police in 1985. In August 2008, he joined the then Strathclyde Police as Deputy Chief Constable (DCC). In November 2012, he was appointed Deputy Chief Constable (Designate) for the newly formed Police Scotland.

#### DCC Rose Fitzpatrick

pictured, joined the City of London Police in 1987. She then transferred to the Metropolitan Police Service on her promotion to Superintendent in 1988. In 2005, she was promoted to Deputy Assistant Commissioner. In 2012, she was appointed DCC of Police Scotland.

DCC Iain Livingstone joined Lothian and Borders in 1992. In 2008, he was appointed Detective Chief Superintendent, Head of CID. In December 2012, he became DCC for Police Scotland.

DCC Steve Allan joined Avon and Somerset Constabulary in 1985. In 2007, he was appointed Commander of the City of Westminster.



## Was Sir Stephen House's reign as Chief Constable of Police Scotland a failure?

### YES

ALISON MCINNES

SIR Stephen House leaves a troubling legacy in his wake. Not only has he managed to forge a force that is both a heavy-handed presence and yet remote from the communities it should serve, he allowed the morale of police and civilian staff to plummet.

Sir Stephen House is responsible for championing a style of policing ill-suited to Scotland's diverse

nature and it will take more than his resignation to unravel the culture he nurtured in the new organisation. The SNP government needs to think long and hard about its shortcomings.

There are systemic problems that will not be solved by only removing the force's staunchest defendants. Behind Kenny MacAskill and Sir Stephen House stands a top-down organisation built to bow to the demands of ministers instead of local communities.

The SNP's unrealistic savings

claims, and dabbling in the operational running of the police, has seen officers moved from the frontline to civilian roles.

I have taken no pleasure from seeing the LibDems' worst fears realised. The endemic use of so-called consensual stop and search, armed police on the streets of the Highlands, chaos in police control rooms are only a few.

Alison McInnes MSP is the Scottish Liberal Democrats spokeswoman for Health and Justice.

### NO

NIVEN RENNIE

STEVE House has overseen the biggest public sector reorganisation since 1996 and Police Scotland's first Chief Constable was on a hiding to nothing.

The formation of Police Scotland meant we had one Chief Constable, a figurehead identifiable with all policing.

But since then policing has become very political and an attack

on the Chief can be an attack on the government of the day?

We tend to have lost sight of the successes of Police Scotland, not least bringing eight forces with strong identities into one, an immense task in itself.

The single force was created as part of the reform of the public sector; we were under real pressure and it made sense for operational reasons to deal with issues like bureaucratic duplication. It was the right thing to do, made financial sense, was never going to

happen overnight and is only two years old.

It's not been a takeover by Strathclyde. If anything it's been a roll-out of Steve House's style of policing.

We now need to draw breath, let the new person come in and deliver the national priorities in the localised way I believe they can.

Chief Superintendent Niven Rennie is president of the Association of Scottish Police Superintendents.

## WEATHER

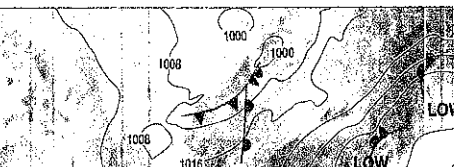
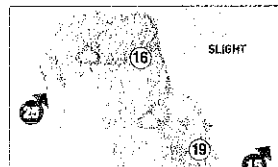
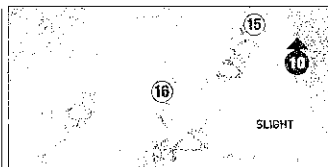
### 24 HOUR FORECAST

**General situation:** An area of low pressure out to the north-west will edge slowly closer to Scotland through today, bringing a bright and breezy day with scattered showers. Western parts will see the most frequent and heaviest of these.

**Outlook:** Blustery tomorrow with showers or longer spells of rain, more so in the west. Lighter winds on Sunday with sunny spells and a few showers. Scattered showers on Monday, but turning drier thereafter.

#### European forecast

Glasgow, Firth of Clyde, Liverpool, Aberdeen



# House quits with vow force will learn from its mistakes

Series of controversial incidents take toll on Chief Constable of Police Scotland

VICTORIA WELDON  
GERRY BRAIDEN

SIR Stephen House has announced he is to quit early as Chief Constable of Police Scotland after vowing that the single force will learn from its mistakes.

Sir Stephen is to leave the force three years after becoming the country's most senior police officer.

He had previously planned to go at the end of his four-year contract in September next year, but has since decided to leave within the next few months after a series of recent controversies.

These include the M9 crash in which police failed to attend the scene for three days despite receiving a call reporting it, and the death in custody of Sheku Bayoh in Kirkcaldy. He referred to the M9 and Sheku Bayoh cases at a meeting of the Scottish Police Authority (SPA) where he announced the decision yesterday.

An emotional Sir Stephen said: "I also want to give my sincere commitment that where mistakes have been made, we will learn from those mistakes, and any recommendations which will improve the performance of Police Scotland in relation to incidents like this will be taken on board without question."

He expressed his frustration that he is unable to answer his many critics on the incidents that have led to waves of negative publicity for the force.

Sir Stephen told members of the SPA in Stirling he could not update them on the matters. He said: "Every death, quite clearly, is a tragedy for the families and the friends of the victims."

"I cannot begin to understand, and I don't think anyone who has not been directly affected can begin to understand, what these families are going through, and we don't pretend that we do."

"But I can give my assurance on behalf of the organisation that we continue to repeat our condolences to all those who have been affected by the tragedies."

He added: "We would like to give full and frank answers to the questions that are legitimately being asked, but we are unable to do that because there are independent investigations being run."

Sir Stephen made the decision to step down after returning from a family holiday. He was named the Chief Constable of Strathclyde Police in October 2012 and also Chief Constable of Police Scotland, which was formally established in

April 2013. The new head of the force has been tipped to come from within. Senior officers Deputy Chief Constable Iain Livingstone, currently in charge of crime and operational support at the force, and Deputy Chief Constable Rose Fitzpatrick, currently in charge of local policing, are thought to be the main contenders for the top role.

SPA chairman Vic Emery, who will also stand down at the end of next month, said the authority would start to put the recruitment process in place "in the coming days".

DCC Livingstone, one of the favourites to secure the force's top job, began his career at Lothian and Borders Police in 1992 and rose through the ranks to become Assistant Chief Constable before being appointed as a deputy in the new single force at its outset.

DCC Fitzpatrick, who was awarded the Queen's Police Medal in 2007, was brought into the new single force as a deputy after serving as a Deputy

## INSIDE

Background:	Page 2
Runners and riders:	Page 2
Was reign a failure?	Page 2
Leader comment:	Page 14

Assistant Commissioner with the Met.

Chief Superintendent Niven Rennie, president of the Association of Scottish Police Superintendents, said the recent criticism directed at the chief had taken its toll. Mr Rennie said: "What we've had is one individual at the top of the structure being the subject of all the criticism."

"Steve House is human like us all and can only take so much. He's a strong and principled person but that barrage of sustained criticism has taken its toll."

Labour councillor Paul Rooney, who was a key figure in bringing Sir Stephen to Scotland from the Met, also put the Chief Constable's departure in the context of the recent problems engulfing his force. SPA member Mr Rooney said: "In my years within policing, I do not recall such a turbulent time as in recent months with two significant tragedies. However, I believe Sir Stephen's personal determination and professionalism to address the issues behind these incidents has been honourable."



TURBULENT TIMES: Chief Constable Sir Stephen House announced his decision to step down in Stirling yesterday.

## Google squares up to EU

INTERNET search giant Google is braced for a potentially lengthy legal fight after rejecting an EU demand to change the way it ranks shopping services in its search results.

Formally responding to antitrust charges filed by the EU earlier this year, lawyers for California-based Google argued European regulators were mistaken in their analysis of the fast-changing online shopping business, misconstrued Google's impact on rival shopping-comparison services and failed to provide sufficient legal justification for

its demands. In a written statement, Google general counsel Kent Walker said the EU's position was "wrong as a matter of fact, law and economics", paving the way to a long drawn-out court battle.

In April, the EU executive commission said it found that Google "gives systematic favourable treatment" to its Google Shopping at the expense of others, such as Amazon and eBay, in its general search results. If found to have been running its business in an illegal manner across the 28-state bloc, Google could be hit with a \$6 billion (£3.9bn) fine.

## BBC to appoint an editor for Scotland

SCOTLAND is to gain its own BBC editor after criticism of the broadcaster's referendum coverage.

It comes as First Minister Nicola Sturgeon claimed the BBC's independence referendum coverage was unfair. At the Edinburgh International Television Festival, she claimed the BBC only analysed the SNP's case for independence and not the consequences of staying in the UK.

Full story: Page 8

## Killjoy signs given the boot

THEY have spoiled the enjoyment of children, and adults, wanting to enjoy a kielaboot or other ball games for decades.

Now Aberdeen is to take down hundreds of "No Ball Games" signs - which have no legal status - from its land and green spaces as it becomes the first local authority to phase out the killjoy notices. It will also remove barriers to outdoor play for children and adults, which will hopefully lead to increased physical activity.

The decision has been agreed by councillors on the city council's

Communities, Housing and Infrastructure Committee. The signage, at various locations around the city, was erected over a number of years on a piecemeal basis at the request of local residents.

Convener Councillor Neil Cooney, said: "This is a first for Scotland and makes sense. The ball games ban is unenforceable and removing these signs may make kids healthier by encouraging outdoor play."

The move is supported by a number of organisations and will be completed by UK National Play Day, August 3, 2016.

PLUS Opinion Page 13 Letters Pages 14-15 Arts Page 17 Television Page 21 Family Announcements Page 20 Crossword Page 30

## Hampton & McMurray Huge savings on the World's finest

UP TO 60% OFF

**SUMMER SALE AND CLEARANCE EVENT!**

HURRY SALE ENDS MONDAY 7TH SEPT!

SEE THE FABULOUS NEW EMERALD COLLECTION - EXCLUSIVE TO HAMPTON & MCMURRAY. MADE IN IRELAND AND NOW AVAILABLE IN OUR CITY CENTRE SHOWROOM.



20% OFF! PLUS 3 SEATER FOR THE PRICE OF A 2 SEATER

12 MONTH INTEREST FREE CREDIT AVAILABLE

HIGHEST QUALITY FURNITURE, FIRST CLASS PERSONAL SERVICE AND EXCEPTIONAL VALUE FOR MONEY - WHY GO ANYWHERE ELSE!

HAMPTON & MCMURRAY



Happy couple: 31-year-old father Sheku Bayoh pictured with his partner Colette Bell



Face of grief: Colette Bell and baby Isaac Bayoh at the funeral. Below: Mr Bayoh's mother Aminata



was slightly windy. Another officer fired off the spray and it went into another officer's face as well as Sheku's. Now there was absolute panic because it was going into their own eyes.

The source suggests it was at this point that PC Short was injured by the flailing arms of the suspect, who was then beaten over the head with police batons. Nicole Short is injured but gets up again, while two officers bring Sheku to the ground and the third joins in. The main one who brought him down was the 25-stone one.

As Mr Bayoh hit the ground, the source said, more officers arrived and raced towards the serum of bodies on the road. His family say police handcuffed Mr Bayoh as he lay belly down on the road and that leg and ankle restraints were also used to stop him struggling.

Then, suddenly, their suspect was still. Trussed up, subdued with batons, sprayed with gas and forced against the ground by the weight of police officers on top of and around him, he no longer presented any kind of threat. He was dead.

In total, say his family, it took less than 45 seconds to bring Mr Bayoh to the ground. Only a few moments

after that, he was not moving. A post-mortem examination was inconclusive but it is suggested he might have died from positional asphyxia, which occurs when someone is put into a position where they can no longer breathe.

Inevitably, the physical statures of all those involved in such an incident will form a key element of the investigation. And it is worth noting that it was the SPF's lawyer, Mr Watson, who first invited the public to imagine a 'very large' Mr Bayoh bearing down on a 'petite' PC Short.

The man the police came to tackle was certainly fit and strong - even muscular, his family say - but it may be stretching things to describe someone who was 5ft 10in and weighed around 12st 10lb as 'very large'.

And if the SPF wants to talk about size, why not mention the 25-stone officer who was the first on the scene with a fellow officer, also described as over 6ft tall and weighing at least 18 stone.

The family source said: 'At one point he had a minimum of 50 stones on top of him. Police officers are supposed to be trained in restraint techniques. It's common sense, surely, that if you have that

kind of weight on someone, you risk causing death. You are pushing the air out of their body, out of their lungs.'

Is that how Sheku Bayoh came to die? Overpowered and then left unable to breathe by the weight of police officers on top of him? If so, he would certainly have fought for

**'Did he die as a result of contact with the police?'**

his life, just as someone with a pillow held over their face would have done. That raises another disturbing question. Could police have interpreted such a struggle as defiance rather than the last battle of a dying man?

There are other questions which, understandably, Mr Bayoh's girlfriend Colette Bell and his family want answered. Why, if he was armed with a knife, was there no knife when crime scene investigators arrived? The family's inquiries suggest that one of the officers later handed a knife to the PIRC, saying they had removed it from the scene because it was raining.

Why were reporters told, off the record, in the hours following the incident, that a man had stabbed a policewoman in Kirkcaldy and that this man had subsequently died?

Miss Bell, whose baby son, Isaac, was born weeks before his father's death, also wants to know why the police originally told her a member of the public had found her partner dead on the street.

Later, she says, she was told that police were looking for two members of the public in connection with Mr Bayoh's death. Only after many hours, she said, was she told that he had died in police custody.

The family is also mystified as to why the nine uniformed officers involved all remained together in the same room at the police station as the PIRC investigation was launched. Should they not have been separated?

And if PC Short was so badly injured, why did she sit among them, having spent only minutes being treated at Victoria Hospital where Mr Bayoh lay dead? Finally, the family ask, why did the police

officers remain silent for 32 days after May 3 before giving detailed answers to the PIRC about what happened?

The Scottish Police Federation's legal representative Mr Watson denies any suggestion that officers refused to cooperate in the investigation.

The PIRC, meanwhile, said it had made several attempts to secure statements from the arresting officers and that they had now agreed to provide them.

Glasgow lawyer Mr Anwar, a regular and prominent critic of Scotland's criminal justice system, is representing Miss Bell and members of Mr Bayoh's family, including his sister Kadjartu Johnson and brother-in-law Adeyemi Johnson.

Mr Anwar said: 'What we know is that CS spray, pepper spray, handcuffs, leg restraints, ankle restraints were used by multiple officers and that Sheku Bayoh was on the ground within a minute of first contact with the police.'

'He never got up again and he died subsequently. The first question that should arise from any investigation is: "Did he die as a result of contact with the police?"'

Mr Anwar added: 'All the surrounding issues are immaterial, they are attempts to muddy the waters and build the narrative. Whatever Sheku Bayoh is accused of is neither here nor there. The question is, how did he die?'

Mr Anwar said the family was right to be concerned that the police were apparently attempting to paint a 'stereotypical narrative' of the type of man who dies in custody.

'We've seen it time and time again,' he said. 'To say that he's 6ft-plus - huge - and then to talk about a petite woman but not to talk about the 25-stone police officer who is involved...'

Last night, Calum Steele, general secretary of the SPF, said: 'Whilst a fatal accident inquiry has not yet been announced, I consider that this is the likely outcome and we are content that the full circumstances will be examined at the forum.'

On any account, Mr Bayoh's behaviour on the morning of May 3 was bizarre, and few doubt that police involvement was necessary. He probably deserved to be arrested and to be charged with a crime. Possibly he deserved to be locked up.

But one thing is certain. On no account did he deserve to die.

[j.brocklebank@daily mail.co.uk](mailto:j.brocklebank@daily mail.co.uk)



## SPECIAL INVESTIGATION by Jonathan Brocklebank

It was just after 7am on May 3 that the first call came into the Police Scotland control room. A black man had been seen in Hayfield Road, Kirkcaldy, carrying a knife. Other calls from alarmed members of the public followed in short order and nine uniformed officers responded immediately, screeching up to the scene in an assortment of police vehicles in a matter of minutes.

That much of the tragedy that unfolded over the next few moments in the Fire town is uncontroversial. Almost everything else remains in dispute - except for the fact that, after the police forced Sheku Bayoh to the ground, he never got up again. And within two hours of that first call reaching the control room, the 31-year-old father was pronounced dead in hospital.

Something, possibly drugs, had triggered a bout of uncharacteristic threatening behaviour from the gas engineer, originally from Sierra Leone, and it had brought police officers flooding into the area to subdue him. But had they managed to kill him instead?

The exact circumstances of Mr Bayoh's death are now the subject of an inquiry by the independent Police Investigations and Review Commissioner (PIRC). But this week, hours before Police Scotland chief constable Stephen House announced his intention to stand down, the family of the dead man revealed they had lost all confidence in the PIRC probe.

They believe commissioner Kate Frame and her team had neither the expertise nor the impartiality to conduct the inquiry. Through

### 'The police officer believed she was about to be murdered'

their lawyer, Aamer Anwar, they have launched their own investigation into Mr Bayoh's death, recruiting experts such as forensic pathologists Dr Nat Cary and Professor Anthony Busuttill to advise them on the case.

Meanwhile, the Scottish Police Federation (SPF) and the lawyer acting for it have made inquiries of their own.

What has emerged over months of leaks and counter leaks is two radically different versions of Mr Bayoh's last moments alive - versions so different that nuances in interpretation could not possibly explain them.

What could account for the fact that one version has a 'very large' Mr Bayoh running amok, chasing and apparently intent on murdering a female officer, while another version has four officers, batons drawn and CS gas sprays at the ready, converging on the unarmed suspect, manhandling him to the ground and asphyxiating him?

Is it, as the victim's family believe, because police always attempt to paint a stereotypical narrative of the suspect who dies in police custody? Is it because, in order to establish a justification of self-defence, the dead man must be portrayed as a monster, a madman with seemingly superhuman strength who placed officers of the law in fear for their lives?

What is certain is that, weeks or even months before the PIRC's final report on the matter is due, a fierce battle for public sympathy rages. It is a battle which common sense might suggest that PC Nicole Short, 29, and her colleagues would win. Described as 'petite' by SPF lawyer Peter Watson, PC Short is said have been viciously beaten by Mr Bayoh when she approached him.

According to Mr Watson's narration of events that morning, a petite female officer was chased and then subjected to a violent and unprovoked attack by a very large man who punched and kicked and stamped on her. The officer believed she was about to be murdered and I can say that, but for the intervention of the other officers, that was the likely outcome.

Later, almost a fortnight after the

Sunday, 7am. A quiet seaside town. A 999 call reports a man with a knife. Within two hours, that man is dead. His family say he was the victim of a brutal police assault ... the police say they prevented a murder

# How did this loving father end up dead in the street?



Public protest: Lawyer Aamer Anwar, centre, and family members at a mass demonstration demanding justice

incident, police sources said the female officer had been 'broken' by the attack.

One said: 'She was just doing her job. She's been left a broken woman who has nightmares about it. I wouldn't be surprised if it is years before she's back on the beat.'

Last month it emerged PC Short was facing trial for allegedly accessing confidential information on the Police Scotland computer system

in 2012, but Kirkcaldy Sheriff Court was told that due to significant injuries suffered during the May 3 incident she could not attend.

Notwithstanding her involvement in a police call-out in which a man died, could her suffering have been exaggerated?

There are those in the Bayoh family who believe so - and sources indicate that CCTV footage from the scene may bear them out. The

images are said to be grainy, but those who have seen them suggest the female officer was not the first or even the second on the scene.

First to arrive, they say, were two male officers, one of them a giant of a man, well over 6ft tall and weighing 25 stones.

Seconds later, another vehicle arrived in Hayfield Road and PC Short and a male officer leapt out. All four officers then converged on

Mr Bayoh who, it now seems clear by all accounts, was no longer holding a knife.

So why the scuffle? Why the batons and CS sprays? Could Mr Bayoh have threatened the police verbally? His family's understanding is he

### 'The main one who brought him down weighed 25 stone'

said nothing at all at this time. One explanation for the heavy-handed response is that police may have believed they were dealing with a terrorist incident.

Two of the officers involved are understood to have said as much, which may raise questions as to whether their suspect's ethnicity entered into their thinking.

But is there another possible explanation for the rapid escalation in force used by the officers? A source close to the family said: 'One officer fired the CS spray and some of it went back in his own face because it

# CONSULT EXPERTS ON CONTROVERSIAL DIAGNOSIS



TALKS Aamer Anwar with Sheku's family at Crown Office last week

have been discharged from hospital around the same time.

Sheku's body was covered in cuts, bruises and grazes, including two dozen injuries to his face and neck.

There were marks on his arms, legs and torso and he had a cracked rib.

The whole incident is believed to have been caught on CCTV.

PIRC submitted their initial report on the police's conduct to Lord Advocate Frank Mulholland two weeks ago and Sheku's family met him at the Crown Office in Edinburgh last week. They will meet PIRC boss Kate Frame on Thursday.

A source close to the family said: "Research has shown that Mr Karch has been a proponent of excited delirium as far back as the 1990s and it is of great concern that he has been instructed by PIRC as an expert witness."

"This idea has been used in the US by law enforcement officials and coroners to exclude excessive force as a cause and to blame the victim for their own death."

"The family will not accept this. PIRC don't even have the weight of one of the key officers, who we understand may be 18st."

"The family are concerned that PIRC believe they can sort this whole thing out by going down the road of excited delirium but if they believe the family will fall for this, they are very much mistaken."

It's understood the Lord Advocate has ordered Crown Office lawyers to examine the PIRC report and decide how to proceed.

A spokesman said: "The Crown will take the PIRC report into account when carrying out their own investigations."

"There are a number of complex issues relating to the cause of death and experts have been instructed."

Deborah Coles, of death in custody charity Inquest, said: "We believe excited delirium is used to try to explain away police custody deaths rather than understand the significant role excessive restraint has played. Dr Karch has advised

security and policing systems in the US and the decision to instruct him speaks worryingly about the independence of the PIRC.

"The Independent Police Complaints Commission in England have never instructed him and we would be really concerned if they were to do so."

Dr Payne-James said yesterday: "I am not able to confirm which cases I may or may not have been instructed with regard to."

"I have written on excited delirium and on many other areas relating to death in custody. An expert's duty is to be completely independent,

irrespective of who is instructing them. Our duty is to the court."

Dr Karch, who appeared as an expert witness for the Crown in the conviction of serial killer Dr Harold Shipman, was unavailable for comment - but other experts in the US have spoken of their belief that excited delirium does exist.

Forensic pathologist Vincent Di Maio, who wrote a book on the condition, said: "The original idea was noted in 1849. If you go to medical literature, it shows up again and again over the years."

It was reported in 2012 that excited delirium had been cited in 17 suspicious death cases in the UK.

Sheku's family lawyer Aamer Anwar said last night: "It would appear that for PIRC, the central question became one of whether Sheku died from some mysterious syndrome as opposed to excessive use of force by the police."

"Thankfully, last week the Lord Advocate managed to keep the family's confidence."

"I hope he will keep his promise to them to deliver a robust, impartial inquiry which leaves no stone unturned. In essence, a whole new investigation will now take place."

A PIRC spokesman said: "The Commissioner continues to work with the Lord Advocate to investigate complex lines of inquiry, including gathering further expert opinion in relation to the cause of death."



INQUIRY Sheku Bayoh died after being restrained



NEW DAD Antony Hughes and his baby son

## Victim's partner I've studied it and it doesn't exist

The partner of a man who died after being restrained by police says she was furious when excited delirium was linked to his death.

Antony Hughes, from Liverpool, died shortly after his arrest in February 2012. He had taken a combination of alcohol and drugs and a post-mortem found the cause of death was "cocaine toxicity with excited delirium".

In the wake of his death, Merseyside Police were ordered to review training and told that officers needed to be better equipped to spot signs of the syndrome.

But Antony's partner Vickie McGowan doesn't believe it even exists. The mum-of-three said: "He died while he was in the custody of police. There's no such thing as excited delirium."

"I've studied everything. I have a folder from the inquest I've studied word for word. I do think the police used the condition as a way of explaining his death."

"They actually saw him foaming at the mouth before they arrested him. He was lying on his front and the first thing they should have done is phone an ambulance."

"There are so many things they could have done. Antony would still have been here today if they had done their job."

Prior to his arrest, witnesses reported how gym manager Antony had been seen weaving in and out of traffic on foot before banging on the door of an elderly woman's house.

Some witnesses said they saw him fall as police arrived while others said he was put on the ground by officers.

He suffered a cardiac arrest while being treated by paramedics and later died at the Royal Liverpool Hospital.

The Independent Police Complaints Commission later ruled there had been no misconduct. They said that, under police guidelines, his symptoms should have been treated as an emergency requiring hospital treatment but officers didn't recognise them.

They also said officers had used reasonable force to restrain Antony.

But Vickie added: "Antony was black and blue, he had bruises all over his face."

"I think Antony was failed. It broke my heart. He was my soulmate and we had been together since we were 16."

"Our baby boy Antony was just two months old when he died."

"I find it so sad that this is happening to other people. I can't believe it's happened somewhere else."

999 CALL CRISIS Page 4  
WE SAY Page 16

There are a number of complex issues relating to the cause of death. Experts have been instructed

## people involved in deaths in custody

who represented the bereaved family of Jacob Michael, said yesterday: "It's perceived as a cause of death with no real grounding in physical evidence."

But Vincent Di Maio, a retired US forensic pathologist

who wrote a book on the condition, said: "The original idea was noted in 1849."

"If you go to medical literature, it shows up again and again over the years."

He estimated that there were 600 to 800 cases a year in the US

-and it was reported in 2012 that excited delirium had been cited in 17 suspicious death cases here in the UK.

And Deborah Mash, a US professor of neurology, has claimed that schizophrenics and

drug users are particularly prone to excited delirium.

She said: "Normally, you have a feedback mechanism that will help to normalise respiration and cardiac rate and rhythm - but these can fail."



VICTIM 25-year-old Jacob Michael

# SHEKU FAMILY FEAR WHITEWASH AFTER INQUIRY TEAM



**HURT** Sheku Bayoh suffered a series of injuries

## The family We will not rest until this is explained

Sheku Bayoh's body was covered in cuts and bruises, the Sunday Mail can reveal.

The 21-year-old was found restrained in the street by police.

The cause of death has still to be established with an initial post-mortem proving inconclusive.

His family believe he may have died from positional asphyxiation after becoming unable to breathe as he was being restrained by officers, one of whom weighed 25st.

And family sources told of their horror at the catalogue of injuries on Sheku's head, arms, legs and torso which were discovered after his death.

A source said: "The long and terrible list of injuries on Sheku is extremely distressing for his family."

"Everyone who cares for Sheku will not rest until the cause of his death, and of these dreadful injuries, is properly explained."

The 21-year-old was found to have over 20 cuts and bruises to his face in the hours after he died.

One large square cut to his forehead caused particular upset to his family. Below it, and just above the eyebrow, was another cut to his forehead.

Facial haemorrhages were present in his eyes - a recognised symptom of asphyxiation.

He also had a laceration at the edge of the top lip and several more cuts to the right of his mouth.

There was bruising to his eyes and several more cuts to the inside of the mouth. The lower mouth was and the lower lip was also cut.

Other injuries included a cut to his forehead, his right hand and his right arm and bruising on the back of his neck.

Police officers involved in the case were interviewed by the inquiry team.

The inquiry team is expected to publish its findings in the next few weeks.

by Craig McDonald

**Sheku Bayoh's family fear investigators will whitewash his death in police custody by blaming a controversial medical condition.**

They are furious after discovering an inquiry team have commissioned reports from experts in excited delirium - a contentious condition blamed by police forces in America and England for previous deaths.

Sheku's family say they fear the move by the Police Investigations and Review Commissioner signals an attempt to blame the condition for his death on May 3 after being restrained by up to nine officers in a street near his home in Fife.

Doctors have questioned whether excited delirium - which is not taught to medical students - is even a genuine condition.

And human rights groups claim it is almost always cited as causing death in custody as an excuse to shift blame from officers.

But we can reveal that PIRC have consulted US pathologist Dr Steven Karch and forensic and legal medicine specialist Dr Jason Payne-James - who have both insisted the condition can kill.

Both sat on a Special Panel Review which issued a 44-page report on excited delirium in 2011, voicing a consensus by the panel's medical experts that the condition is indeed real.

But critics dispute their findings and Professor Eric Balaban, senior counsel with the American Civil Liberties Union's National Prison Project, said: "There is doubt over whether it is even a real condition."

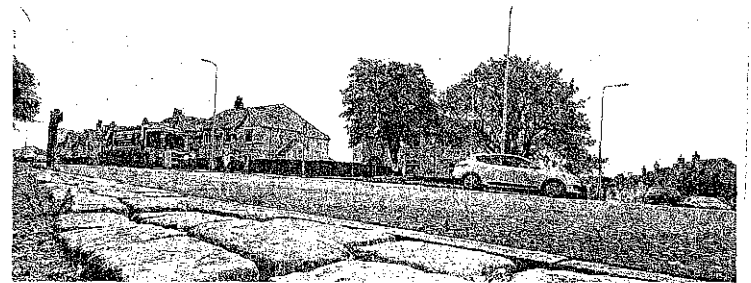
"The amazing thing about excited delirium is how many times it is raised in exactly this type of context - an altercation with police officers."

"It's almost exclusively used in police cases and there have been concerns over whether it is used as a means of whitewashing."

"The first time it received major public attention was in the 1980s in Florida when it was cited as the cause of death of 30 sex industry workers."

"Their bodies were later exhumed and re-examined and it turned out they'd been strangled by a serial killer, so the theory does not have a very strong history."

"But every so often there is a violent altercation involving police and it is



**SCENE** The street in Kirkcaldy where Sheku was confronted by police and died soon afterwards

# Excited delirium *noun* A mysterious but fatal condition. Usually suffered by people being arrested by police



**POLICE SCOTLAND**  
Keeping people safe



**TOGETHER** Sheku Bayoh with partner Collette Bell

used as opposed to more reasonable, evidence-based explanations."

Professor Douglas Zipes, of Indiana University who has worked on custody death cases, said: "The term excited delirium is not accepted by many of the medical organisations in the US."

"I am not at all convinced that excited delirium exists."

The phrase was coined to describe cases where a delirious person shows symptoms including anxiety, hallucinations, violent behaviour and "superhuman" strength.

British forensic pathologist Nat Cary said in 2012: "Excited delirium is a way of offering an excuse on behalf of the state for a death in custody. It's a meaningless catch-all term that appears repeatedly in restraint cases when the individual is seen acting aggressively and is on drugs or is mentally ill."

It is understood tests have revealed the presence of the drug ecstasy in

Sheku's body. He was detained by nine uniformed officers attending reports of a man brandishing a knife in the street in Kirkcaldy.

Sheku did not have a knife when he was approached by officers. One is said to have been found nearby later.

Four officers initially attended and, during an attempt to restrain him, PC Nicole Short was hit in the head.

The three other officers restrained him within seconds. One of them weighed 25st while another has so far refused to disclose his weight to PIRC investigators.

The initial group were joined by five more officers and CS gas, pepper spray handcuffs, leg restraints and batons were used on Sheku.

Two plain-clothes police also attended.

Sheku was taken to Kirkcaldy's Victoria Hospital, five minutes from the scene, but was pronounced dead at 9.04am. PC Short is understood to



**EXPERT** Professor Derrick Pounder

## Top pathologist It effectively excuses

The diagnosis of excited delirium has divided pathologists around the world.

Supporters believe there is a long history of the condition going back centuries.

But sceptics claim excited delirium doesn't even exist - and

say it is used almost exclusively to exonerate police over deaths in custody.

Forensic pathologist and UN adviser Derrick Pounder said: "It started out as a theoretical concept and grew arms and legs, more for

pragmatic reasons than scientific ones.

"The pragmatic reason was it effectively excused people who were involved in deaths in custody and excused manufacturers of weapons such as the Taser." British lawyer

Kate Maynard voiced concerns after excited delirium was cited as a cause of a death in custody in 2011.

This was despite the term not being officially recognised by the Department of Health or the World Health Organisation. Maynard



DEATH IN CUSTODY SHOCKER

# SHEKU THE INJURIES

INSIDE

## FREE SALAD

## POTATOES

Bag four baking spuds for nothing at all with our great offer **Page 22**



WORTH  
**85p**

**Instaslim**  
TO THE TOWAST

**PLUS Instaslim**  
Delicious dishes to help you lose weight fast

**Joan Collins comes clean and Cara and Kate show off new clobber**



Cut at edge of top lip

Bruise on top lip

Several cuts at right top lip

Several lacerations to lower lip

Several cuts on inside of mouth

Large graze on right of chest

Cut on back of finger

Grazes to left knee and shin

Wounds to right shin

The extent of the injuries suffered by police custody death victim Sheku Bayoh can be revealed today.

The fracas with officers that led to his death left him with cuts, gashes, bruises and a broken rib.

Today, his family reveal fears of a whitewash after investigators consulted experts on a controversial diagnosis often blamed for deaths in custody.

Large cut to left forehead

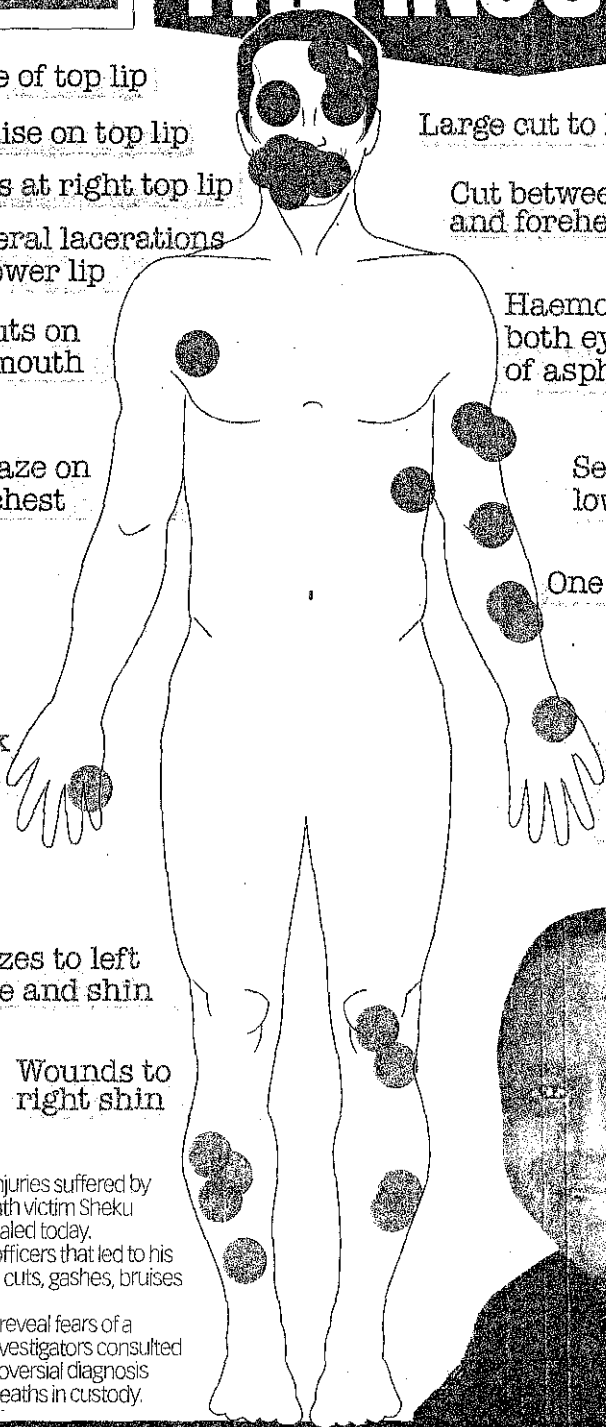
Cut between left eyebrow and forehead

Haemorrhages in both eyes, often a sign of asphyxiation

Several cuts at lower mouth

One fractured rib

Grazes, cuts and bruising on upper arm, elbow, lower arm and hand



**HURT**  
Custody death victim Sheku Bayoh

**EXPERTS SPLIT ON CAUSE OF DEATH** Pages 2&3 **999 CALLS BOMBSHELL** Page 4

# Labour launches inquiry into Police Scotland after failures at force



**GRAEME PEARSON: To head Labour review of Police Scotland.**

**GERRY BRAIDEN**  
SENIOR REPORTER

SCOTTISH Labour has launched its own review of Police Scotland, headed by the party's justice spokesman and former top officer Graeme Pearson.

The party said Mr Pearson had been tasked by new Scottish leader Kezia Dugdale to assess the effectiveness of the single police force and "propose bold reforms to restore local accountability and reverse the impact of damaging

SNP Government cuts to staff and services".

It comes days after Chief Constable Sir Steve House brought forward by almost a year his decision to stand down following months of pressure on the back of a series of policing failures and civil liberties controversies.

Pressure had been brought to boiling point over a number of issues including the M9 car crash, where two people lay injured and dying for three days.

It comes as Justice Secretary

Michael Matheson faces accusations of being in denial over the crisis engulfing Police Scotland after he claimed Sir Stephen House had left a "lasting positive legacy".

Opposition politicians said Mr Matheson and the Scottish Government were burying their heads in the sand about the full extent of the problems facing the force.

Mr Pearson said: "The failure over the M9 crash was the straw that broke the camel's back and exposed the many problems at the heart of Police Scotland today.

"We supported the introduction of the single police force back in 2013, but something has gone badly wrong with its implementation. The resignation of Sir Stephen House was the right thing to do but the problems won't follow him out the exit door.

"Labour will be bold and radical in our approach to policing in Scotland."

Mr Pearson, a former head of Crime and Counter Terrorism at Strathclyde Police and Director General of the Scottish Crime and

Drug Enforcement Agency, travel the country speaking to and file officers, civilian s community groups, victim sup staff and others as part of a wide-ranging review of police Scotland.

The review will look at 1 accountability, the relation: between Police Scotland, the f: tish Police Authority and Sco Government ministers, staf and targets with the proposal reform included in Labour's m festo for 2016.

# Custody death inquiry chief denies medical condition claim

Investigation took advice from independent experts

**GERRY BRAIDEN**  
SENIOR REPORTER

THE regulator charged with investigating the police in Scotland has denied it is seeking to blame a controversial medical condition for the death in custody of Sheku Bayoh.

The Police Investigations and Review Commissioner has submitted its initial findings on the case to Lord Advocate Frank Mulholland, including a report commissioned from US-based experts in "excited delirium".

The condition has been blamed by police forces in America and England for previous deaths in custody and is said to involve a delirious person showing symptoms including anxiety, hallucinations, violent behaviour and "superhuman" strength.

Mr Bayoh's family's lawyer Aamer Anwar said the family has been waiting 17 weeks to establish the cause of death and had lost confidence in PIRC's ability to properly investigate Police Scotland.

Ahead of a meeting with the victim's family this week, commissioner Kate Frame said instructing pathology experts from outwith Scotland was not a sign it had "focused its investigation on a particular cause of death for Sheku Bayoh".

She said: "The post mortem conducted in Scotland did not reveal a conclusive cause of death. "In order to assist the family in



**CONCERN:** Lawyer Aamer Anwar with Mr Bayoh's mother and partner.

understanding what caused Sheku Bayoh's death, PIRC identified a number of expert forensic pathologists to the Crown Office.

"The Lord Advocate then selected and instructed the commissioner to approach the chosen experts and seek their opinion on the cause of death.

"Both are entirely independent. Once the experts' opinions are available they will be passed to the Crown Office and the PIRC would anticipate that, in accordance with standard practice in a serious case such as this, they will take the opportunity to pre-recognise them as witnesses along with other significant witnesses identified in the PIRC report."

Claiming there were "glaring gaps" in the probe to date and comparing the case to the Glasgow bin-Jorry crash, Mr Anwar also said the Crown Office could not rush to close off any avenue of inquiry.

Mr Anwar said: "It would appear that for PIRC, the central question

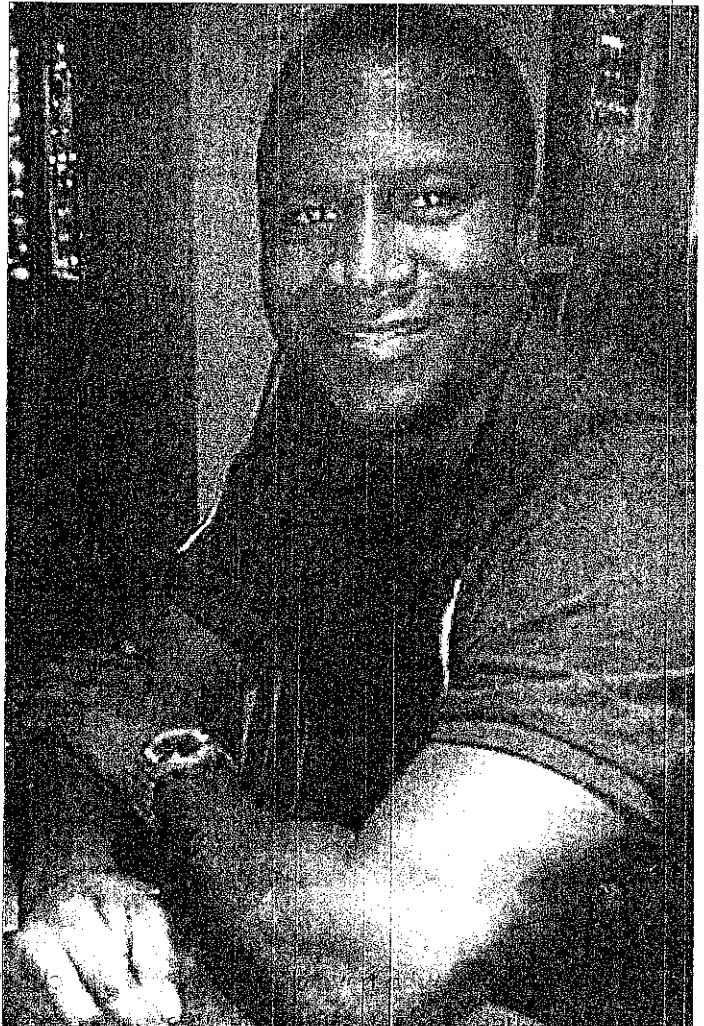
became one of whether Sheku died from some mysterious syndrome as opposed to excessive use of force by the police.

"We need to learn from the bin-Jorry crash and the Chief Constable's recognition that victims' families will no longer be silenced and that robust investigations need to be carried out.

"For the cause of death not to be determined after 17 weeks is unacceptable. The Lord Advocate retains the confidence and faith of the family because he said that he will look at other experts, take suggestions and look at all options. But that confidence is not blind."

But one policing source said that while excited delirium had to be examined as a possibility it was unlikely to have been a factor, pointing to tests which are understood to have revealed the presence of the drug ecstasy in Mr Bayoh's body.

The source said: "I am 100 per cent confident that the fatal acci-



**SHEKU BAYOH:** Family has said they 'will not rest until they have the truth' about his death in custody.

dent inquiry will reveal any injuries to be in line with a standard police arrest."

Mr Bayoh, a father who worked for British Gas, died on May 3 after being restrained by several officers who responded to a call-out on a Kircaldy street.

He did not have a knife when he was approached by officers. One is

said to have been found nearby later. It is understood he was handcuffed and put in leg restraints following an altercation with the officers. He died in custody after losing consciousness.

Within 24 hours, PIRC was instructed by the Crown Office to investigate the circumstances of the death.

A further report detailed extent of injuries Mr Bayoh suffered, including a broken and the presence of petechial haemorrhages in his eyes, a recognised symptom of asphyxiation.

A Crown Office spokesman said: "The Crown will take the P report into account when carrying out their own investigations."



**LAMARA BELL:** Brother has warned of new 999 fatalities.

# Police told to sort out 999 chaos or there will be 'another fatality'

POLICE Scotland officers must report any failings in the force to "save any more people from dying", the brother of M9 crash victim Lamara Bell has said.

Martin Bell said failure to attend any 999 calls meant it was "only a matter of time before there is another fatality".

Mr Bell said: "They signed up to serve and protect and

this isn't happening right now. The public have lost all faith and respect. Surely they didn't want to be in the force to be looked at like this.

"They need to come forward and make a change and save any more people dying. If 999 calls are being unattended it is serious and it's only a matter of time before there is another fatality due to this mess the system

is in. It's time to stand up and make the change."

It comes days after an anonymous officer said the force was "on its knees" with high numbers of calls.

Ms Bell, 25, lay trapped in her car for three days after Police Scotland failed to respond to a 101 call reporting the crash because the details were not logged correctly.

She was found conscious inside the car near Stirling on July 5, but died in hospital four days later. Her partner John Yuill, 28, also died in the crash.

On Thursday, an anonymous whistleblower to the BBC said control rooms were struggling to cope with the volume of calls, adding: "Tribble nine calls are still not being actioned, so they are

not being resourced and members of the public are not being given the service that they deserve."

Police Scotland said there was a "regular engagement" with the Scottish Police Federation, which represents officers up to the rank of chief inspector, as well as the Association of Scottish Police Superintendents and staff unions.

The spokesman pointed to a report on handling performance presented on Thursday which showed a high "grad service". He added: "Police Scotland is subject to scrutiny at local and national level number of different v including local panels, board and commit HMICS and the Jus Committee."



## Bayoh injuries emerge

lower mouth area and lower lip. Further injuries included a cut to a finger on his right hand and grazes, cuts and bruising on his left arm and hand.

There were also wounds and grazes to his shins and knees.

Yesterday, Bayoh's family spoke out about their concerns that an inquiry team looking into his death commissioned reports from experts in "excited delirium", a contentious condition blamed by police forces in America and England for previous deaths in custody.

His family say they fear the inquiry by the Police Investigations and Review Commissioner (PIRC) will

whitewash the circumstances of his death, by signalling an attempt to blame the condition.

Bayoh was arrested by nine police officers on the street near his home in Kirkcaldy.

Following his arrest he was taken to the town's Victoria Hospital, where he was pronounced dead.

PIRC submitted its initial report on the case to Lord Advocate Frank Mulholland two weeks ago, and Bayoh's family met him at the Crown Office in Edinburgh last week.

The cause of Bayoh's death has still to be established, with an initial post-mortem examination proving inconclusive.

# Debate over the location of famous monument

BY MARTIN HANNAN

**F**OR 200 years, the Glenfinnan Monument has attracted visitors from all over the world to the place where Bonnie Prince Charlie raised the Jacobite standard and summoned the clans to fight for the Stewart cause in 1745.

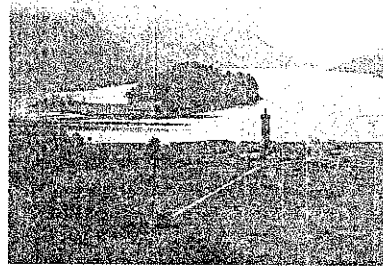
Now a row has broken out as local historians call on the monument's guardians, the National Trust for Scotland (NTS), to solve the mystery of where the Prince actually raised his standard.

Since he found an alternative site some 500 yards away, historian Iain Thornber has been campaigning for the NTS to investigate his theory the monument is in the wrong place.

The NTS took over the care of the Lochaber monument in the 1930s, and with its bicentenary due this year, Thornber told the Lochaber News he wants to see an independent inquiry into the exact location of this very important event in Scottish history.

The monument at the head of Loch Shiel began life as a shooting lodge before being erected in 1815 as a memorial of the Rising.

Historians first began



**The Glenfinnan Monument is supposed to mark the place where Bonnie Prince Charlie raised the Jacobite standard, but some local historians doubt it is in the right place**

to question whether the monument was correctly located as far back as the 1950s, when Seton Gordon and Donald B MacCulloch pointed out that its location did not fit with eyewitness accounts and contemporary records of the Prince's deeds.

Three decades ago, a Latin inscription was found on a rock on the summit of a hillock some 500 yards north west of the monument, reading: "In the name of the Lord the standards of

Charles Edward Stuart triumphing at last were set up. 1745."

Thornber's theory that this site was the real location of the standard-rising was backed by a moorland fire which uncovered more inscribed stones.

He said: "Is it not time for the trust to accept that they may be wrong and initiate an independent inquiry to examine all the evidence and present the outcome to the public?"

He added that the trust had a duty to tell its members and visitors the full story.

An NTS spokeswoman said the trust was aware of the location debate.

She said: "We considered the full range of historical debate in our recent exhibition redesign at the visitor centre.

"We have no current plans for any further investigations at this time, but are always interested to hear new evidence."

## Hynde criticised for rape remarks

**SINGER** Chrissie Hynde has been criticised for saying that it can be a woman's fault if she is raped.

The Pretenders rocker, 63, said she blamed herself for being forced to perform sexual acts under the threat of violence when she was 21.

She told a Sunday newspaper: "This was all my doing and I take full responsibility."

Hynde went on to say that women who dressed provocatively were also to blame if they were attacked, saying: "If I'm walking around in my underwear and I'm drunk? Who else's fault can it be?"

Her comments were condemned by the charity Victim Support, who said that victims should not blame themselves.



Chrissie Hynde

## FM in plea for Clutha families

**NICOLA** Sturgeon has written to the UK Transport Secretary urging him to assure families of the Clutha crash victims that a report into the disaster will be published as soon as possible.

The First Minister told Patrick McLoughlin that relatives of the 10 people who died were still waiting for answers.

In the letter, sent yesterday, she said: "I am concerned at this apparent slippage in timescale ... the Clutha families have already waited for almost two years."

### Hearing Harmony

PRICE PROMISE WE WILL BEAT  
ANY COMPETITOR'S PRICE ON ANY  
CURRENT BRANDED PRODUCT

SAFE QUICK AND PAINLESS EARWAX REMOVAL

PLEASE CALL  
01206 200000



# Former police chief to carry out force review

## New Labour justice spokesman to assess Police Scotland's effectiveness

BY KATHLEEN NUTT

**K**EZIA Dugdale has tasked one of the country's most experienced former police chiefs with carrying out a root-and-branch review of the new single force following a series of scandals.

Graeme Pearson, ex-director general of the Scottish Crime and Drug Enforcement Agency, who was previously the head of crime and counter-terrorism at Strathclyde Police, will undertake the work in his role as Labour's new justice spokesman.

His inquiry will assess the effectiveness of Police Scotland as well as examining its relationship with the Scottish Police Authority and Scottish Government ministers. He will also make recommendations to reform the service.

The move was announced yesterday as, in a separate develop-

ment, the brother of M9 crash victim Lamara Bell called on police officers to report failings in the force. Martin Bell told the BBC: "If 999 calls are being unattended it is serious, and it's only a matter of time before there is another fatality."

Lamara, 25, lay trapped in her car for three days after Police Scotland failed to respond to an emergency call reporting the crash because the details were not logged correctly.

She was found conscious inside the car near Stirling on July 5, but died in hospital four days later. Her partner John Yuill, 28, also died in the crash.

Bell said he wanted officers to "come forward and say it as it is" after reports of call centres struggling to process emergency calls.

"They need to come forward and make a change and save any more people dying. If 999 calls are being unattended it is serious

and it's only a matter of time before there is another fatality due to this mess the system is in," he said.

Since the creation of the single force in 2013 it has faced a series of scandals and controversies - including the M9 car crash, cuts to civilian staff and services, the arming of officers on routine duties and the stopping and searching of children.

Last week Chief Constable Sir Stephen House announced he would be stepping down before the end of the year, nine months earlier than he had originally indicated.

The Pearson Review will report back to Dugdale by the end of the year, and the reform proposals will be included in the party's manifesto for next year's Holyrood elections.

Full details of the review will be unveiled today, but last night Pearson said too many police officers were having to fill back-office functions because of cuts to civilian staff, and were not doing their jobs in frontline policing.

"Policing in Scotland needs a shake-up. We need to get back to the kind of community policing that made Scotland the envy of the world at one time," he said.

"Labour will be bold and radical in our approach to policing in Scotland. In the coming months I will travel the country speaking

to those on the front line. Communities across Scotland, and the police officers themselves, deserve better."

Pearson has also called for the suspension of plans to shut the Aberdeen and Inverness call centres, saying their closure would only "make matters worse".

Scottish Justice Secretary Michael Matheson has ordered a review of all police call handling, and the case is also the subject of an independent investigation by the Police Investigations and Review Commissioner (Pirc).

"The report into call handling at Police Scotland is due to report shortly," said Pearson. "The SNP Government should seriously consider any proposed reforms before going ahead with the plan to close call centres in Aberdeen and Inverness."

A Scottish Government spokesman said: "Agreement on the siting of contact, command and control centres is a matter for Police Scotland, with the oversight of the Scottish Police Authority.

"The Cabinet Secretary for Justice has directed Her Majesty's Inspectorate of Constabulary in Scotland to carry out a full independent review of all call handling and processes."

"It is not appropriate to pre-judge the results of this review, or the independent Pirc investigation."



### Details of

THE extent of injuries suffered by a man who died after being restrained by police officers have emerged.

A newspaper reported yesterday that father-of-two Sheku Bayoh had a fractured rib as well as more than 20 cuts and bruises over his body.

It was also reported the 31-year-old, who died in Kirkcaldy in May, had a large square cut to his forehead, a laceration at the edge of his top lip and several other cuts to the right of his top lip. The injuries also included haemorrhages in both eyes.

There was also bruising to his face and several other cuts to the inside of his mouth,

**ADVERTISING TESTIMONIAL**

**Like all modern businesses JJR Print hopes to build a profile that widens our customer base.**

We believe that our ad campaign in the 'The National' generated new enquiries from a new range of potential clients. The online readership is a bonus and we hope to co-ordinate future ad campaigns in tandem with our social media efforts. The publication is a welcome newcomer offering a distinctly different product targeting a new range of media aware consumers.

**JJR Print & Design**

To advertise your business in The National please contact Jim Bone on 0141 302 6141

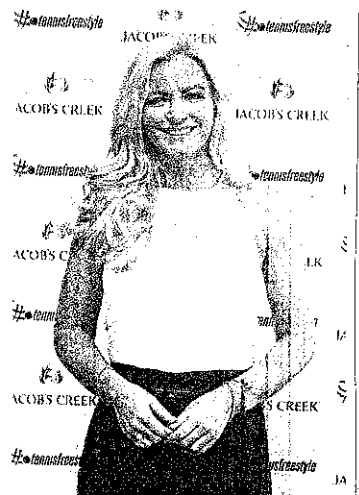


### Voters want an elected Lords

MOST voters want a wholly elected House of Lords, a new poll of public attitudes to political reform found.

The People and Power survey, carried out before last week's controversial appointment of 45 party-political peers, found 52 per cent of 2,147 UK adults thought lawmakers "should always be elected" - with only 28 per cent preferring the "experience and knowledge" of the appointed second chamber.

David Cameron, whose recent appointments to the upper house included pro-Union businesswoman Michelle Mone, is said by Downing Street to remain "open" to reform despite seeing a 2012 effort roundly rebuffed by a huge rebellion of Tory MPs.



Michelle Mone has been given peerage

### Putting the ice in ice-cream

ICE-CREAM fans could soon savour a slower-melting treat on a hot day thanks to a new ingredient developed by Scottish scientists.

Researchers have discovered a naturally occurring protein that can be used to create ice-cream that is more resistant to melting than conventional products. It works by binding together air, fat and water.

Scientists at the Universities of Edinburgh and Dundee estimate that ice cream made with the ingredient could be available within three to five years.

# Police review is ordered by Sturgeon after House resigns

## New chief for governance body following 'turf wars'

MAGNUS GARDHAM  
POLITICAL EDITOR

NICOLA Sturgeon has ordered a comprehensive review of Police Scotland following a series of controversies that have engulfed the national force.

The First Minister made the announcement as she unveiled her final programme for government before the next Holyrood election in May.

She used the set-piece event, the Scottish Parliament's equivalent of the Queen's Speech at Westminster, to unveil eight new pieces of legislation but also to indicate how she planned to use new tax and welfare powers due to be devolved to Holyrood over the next two to three years.

However, she warned she would reject the new powers - which have to be agreed by MSPs - if the financial terms and conditions were unfavourable.

Among the other initiatives she outlined, the First Minister confirmed plans to introduce a new national system of testing in primary schools in an effort to reverse falling standards in reading and arithmetic.

Addressing MSPs on the day they returned to parliament after the nine-week summer recess, the First Minister revealed that a new head of the Scottish Police Authority, the force's oversight body, will be appointed later this week. She said the switch would be accompanied by a review of police governance.

It follows concerns over the relationship between the force and its governing body after a "turf war" broke out between departing chief constable Sir Stephen House and outgoing SPA head Vic Emery over their responsibilities.

In addition, Police Scotland's new chief constable, due in post in December, will be required to attend "local public scrutiny sessions" in an effort to counter



RESIGNATION: Police Scotland boss Sir Stephen House.

claims the national force has failed to respond to local priorities.

The force's stop and search policy, another source of controversy, will be regulated by a new code of conduct and recommendations from an ongoing inquiry into call handling implemented.

The call handling probe is taking place following the case of Lamara Bell and John Yuill, who died after officers failed to respond to a report of a motorway crash for more than three days.

Ms Sturgeon, who praised the work of Chief Constable House, said the creation of the single force had been "the biggest public service reform for a generation".

She also announced plans for an Abusive Behaviour and Sexual Harm Bill, which will create tougher penalties for domestic abuse and outlaw "revenge porn".

With only limited time available to MSPs before the next election, Ms Sturgeon devoted much of her speech to her plans for the next parliament, which she confirmed will run for five years until 2021 to avoid a clash with the 2020 UK General Election.

Addressing the £3 billion welfare programme, set to be devolved, she said the new powers would be used to scrap the so-called bedroom tax and to replace the UK Government's Work Programme, which aims to improve job prospects for unemployed people.

The basis of a new system will be set out in a Scottish Social Security

Bill soon after the next election, which polls suggest the SNP is on course to win comfortably.

With the Scottish Budget delayed until January, to allow for Chancellor George Osborne's comprehensive spending review in November, Ms Sturgeon made no mention of her plans to confirm.

But she did confirm that a replacement for air passenger duty, the levy on flights, would be in place by April 2018 and halve the current burden on airlines.

However, she said she would only accept the new powers if the fiscal framework underpinning the package was "fair to Scotland".

The threat was a sign of the hard-bargaining facing the Scottish and UK governments over the amount Holyrood will be allowed to borrow and the amount by which its existing block grant from Westminster will be cut when MSPs become more responsible for raising revenue.

On health, the First Minister unveiled plans to "transform primary care", starting with a series of pilot schemes designed to bring the work of GPs, district nurses and health visitors together in an effort to reduce hospital admissions.

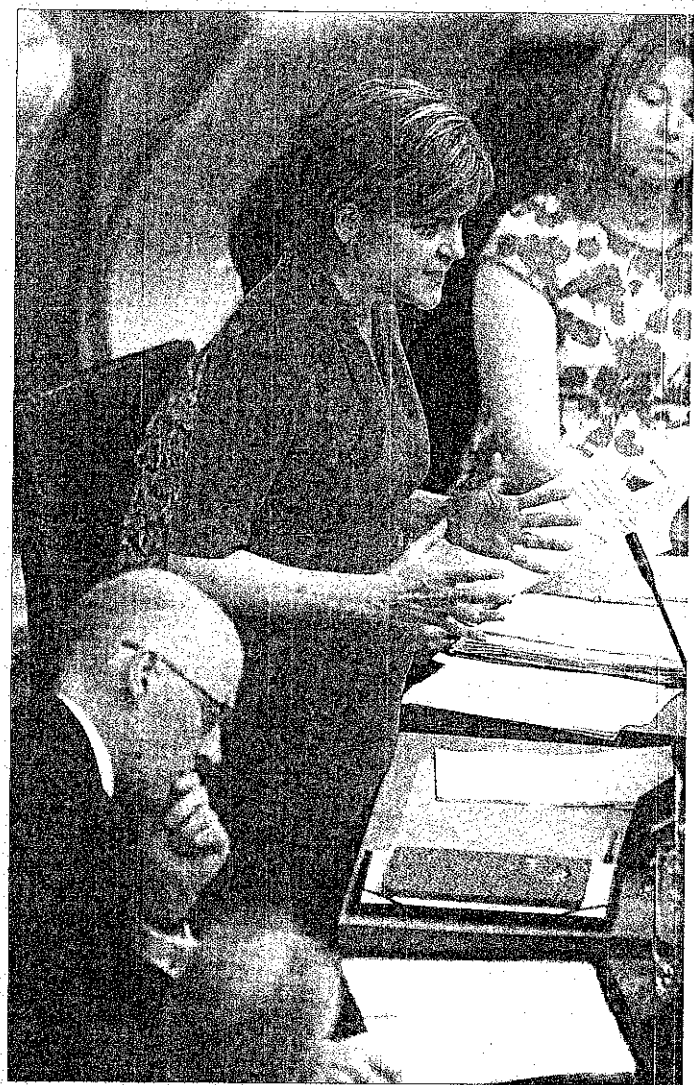
One of the eight new bills will give people with degenerative diseases, who lose the ability to speak, a legal right to computerised voice equipment.

The First Minister told MSPs: "I am determined that we harness the passion and energy shown in the referendum to tackle the social and economic issues of our times."

Scottish Labour leader Kezia Dugdale welcomed the programme but added: "The First Minister says that education and health are priorities but her government's budgets have told a different story."

Scotts Tory leader Ruth Davidson accused Ms Sturgeon of squaring up for a fight with the UK Government over Holyrood's new powers.

Leader comment: Page 14



LOOKING AHEAD: Nicola Sturgeon lays out her plans for the new term in Parliament.

## The key elements of legislative programme

THE Scottish Government will bring forward eight new pieces of legislation before the end of the parliamentary session. They are:

### Abusive Behaviour and Sexual Harm Bill

Tougher penalties for offences related to domestic abuse. The Bill will also outlaw revenge porn.

### Budget Bill

Put back to January to allow for the UK's comprehensive spending review. The Scottish income Tax Rate will be set for the first time.

### Bankruptcy Consolidation Bill

Designed to streamline existing bankruptcy law to make it more readable and accessible.

### Burial and Cremation Bill

New regulation and inspection regime following the Mortonhall baby ashes scandal.

### Lobbying Bill

Will create a public register of professional lobbyists and others whose job it is to influence government policy.

### Private Tenancies Bill

Intended to improve tenants' rights.

Will allow for rent control to be put in place in designated areas.

### Scottish Elections (date) Bill

Sets the date of the next-but-one Scottish election in 2021 to avoid clash with 2020 Westminster poll. Ends talk of a possible three-year parliament ending in 2019.

### Scottish Fiscal Commission Bill

Puts the Scottish OBR budget watchdog on a statutory footing but does not make the body fully independent of government.

# Fears that new school tests will judge teacher performance ahead of pupil progress

Continued from Page 1

is highly controversial. Critics fear the introduction of a single test allowing direct comparison between schools

serving different communities undermines the education system because primaries which do not perform as well are automatically seen as "failing", even though they

may be doing an outstanding job for their pupils.

There are also fears councils use test results to judge teacher performance rather than pupil progress, which

leads to school staff focusing all their efforts on "teaching to the test" at the expense of their wider education.

Stephanie Primrose, education spokeswoman for coun-

cil umbrella body Cosla, said: "The announcement could be an extremely positive step for education or, if we are not careful and despite assurances, could turn the clock

back to national testing and, whether intended or not, league tables.

"We share the concerns that if not handled correctly this risks being a retrograd

step for Scottish education that heaps more pressure on pupils and teachers and is likely to be inaccurate and unfair comparisons between schools."

**The Herald**  
SCOTTISH DIGITAL BUSINESS AWARDS 2015

POWERING

# Even the trouble-makers fail to disrupt First Minister's lesson on government



THE First Minister put education at the heart of her final Programme for Government before next

law-making projects for her eager charges to sink their teeth into.

For their part, the polished, ironed and pencilled-up pupils liked pretty much everything they heard.

Perhaps they were just

be stopping people from going to hospital rather than sending them there, it turned out.

But so much for fixing things that went wrong last term.

Coming soon will be brand-new modules on

course materials aren't up to scratch.

Kezia Dugdale, the Scottish Labour leader, gushed a bit like a newly appointed head-girl. "It is a privilege to serve and it is a privilege I will never take

# Government NHS spend

A FORMER political who has campaigned better funding for A Neutrone Disease yest welcomed a govern announcement to pr NHS voice synthesiser

Gordon Aikman, confined to a wheel and is expected to lo

...the outcome of the investigation." suspended during the legal proceedings.

The client tried to rectify his mistake by using Microsoft sexual health. It said: "This is completely

...and an internal investigation results by email.

...was caused by human error

...appointments and receive test results by email.

...and wrote Anne Hill for

...with less than 100 members

...at Dean Street, which is part

# Bayoh family's lawyer attacks watchdog 'failings'

THE lawyer representing the family of Sheku Bayoh, who died in police custody, has said the force's watchdog has "failed" to hold the organisation to account.

Mr Bayoh's relatives will meet the Police Investigations and Review Commissioner (Pirc) Kate Frame today to discuss the case of the 31-year-old, who died in Kirkcaldy, Fife, on May 3.

A post-mortem examination proved inconclusive and a Sunday newspaper reported family concerns that experts may blame a medical condition known as excited delirium, which has been cited in other custody deaths.



SHEKU BAYOH: Died in police custody in May this year.

Ms Frame has said she understands the need for answers around the death and wants to hear any additional information which might be relevant to the investigation.

However, Amer Anwar, the lawyer representing Mr Bayoh's relatives, said: "It is clear to the family that Pirc has failed to use the powers it has to hold Police Scotland to

account. Over 17 weeks Pirc has been responsible for the rapid breakdown in confidence held in them by Sheku Bayoh's family.

"Whilst 33 separate points of concerns were raised in a letter to the commissioner on July 31, 2015, the family felt her response was dismissive; those concerns were subsequently taken up by the Lord Advocate.

"The Scottish Government has announced a national review into Police Scotland, but the family feels that unless the police watchdog Pirc is truly independent and armed with increased powers then any exercise into police

accountability will be one of fruitless window dressing."

"The family welcome the opportunity to discuss their concerns with the commissioner," he said.

Ms Frame said earlier: "I fully recognise the family's need for a clear understanding of what caused Sheku Bayoh's death, and despite the fact that the post-mortem conducted shortly after his death was inconclusive, I remain committed to thoroughly investigating all lines of enquiry."

The family of Mr Bayoh met Lord Advocate Frank Mulholland to discuss the investigation last week.

# WIN

## TUMIN BREAK

### LAIR CASTLE

### AVAN PARK

**WORTH £1000**

# Celebrities are paid thousands of pounds to attend business events

SCOTTISH Enterprise has spent thousands of pounds hiring celebrities to attend business events.

The jobs quango paid out to recruit personalities including comedian Fred MacAulay, chef Tom Kitchin and broadcaster John Humphries.

MacAulay was paid more than £21,000 of taxpayers' cash to host three dinners at the Edinburgh International Conference Centre celebrating Scotland's life sciences business sector.

Kitchin was given £15,000 to travel to Dubai for a five-day world food exhibition at the Gulf state's World Trade Centre.

New figures show Scottish



FEE: Fred MacAulay was paid more than £21,000.

Enterprise paid out £44,440 to celebrities over the last three years.

Others to benefit included BBC presenter Humphries who was paid £6,600 to attend a Commonwealth Games business conference in Glas-

gow last July.

The Radio 4 Today host moderated a debate at Glasgow University which was billed as giving participants 'the opportunity to strengthen relationships with senior decision makers from business and government'.

Michelin-starred chef Kitchin, who owns The Kitchin restaurant in Edinburgh, travelled to the Gulfood exhibition in February, 2014, at the expense of Scottish Enterprise.

A spokesman for Scottish Enterprise said: "We only use 'personalities' to host a small number of large scale customer events and conferences."

# 'Walkie Talkie' is voted most hated UK eyesore

A SKYSCRAPER in the City of London has gained the dubious accolade of being voted the UK's worst eyesore.

The tower - nicknamed the Walkie Talkie but officially known as 20 Fenchurch Street - won the Carbuncle Cup, awarded to the building judged the most hated in the country.

The unanimous choice of the judges, the 37-storey office tower has melted car parts by reflecting sunlight and drawn complaints that its shape creates a wind tunnel.

Judge Eleanor Jolliffe, an architectural designer, described it as a "Bond villain tower, as it could melt your car with a solar beam from space".

Other buildings on the



JUDGED: The Walkie Talkie building during construction.

shortlist include a student halls in north London so hated it prompted a resident to stand for Parliament to ban inappropriate development and Southampton's City Gateway - known affectionately in the area as the "tag butt".

COMMENT AT HERALDSCOTLAND.COM

## THE SATURDAY'S

# the Herald

IN ASSOCIATION WITH

# The Herald News

for the most comprehensive Scottish news and politics

The Herald now has more than 2.3m print and online readers enjoying quality journalism every month.

heraldscotland.com

## THE WESTERN CLUB

RESTAURANT

GLASGOW'S NEWEST DINING EXPERIENCE

Indulge in delicious food & fine wines overlooking the iconic Royal Exchange Square

"Assured, accomplished and professional"

TripAdvisor guest August 2015

0141 248 2214

www.theclubrestaurant.co.uk

THE HERALD  
03.09.15



# er M9 tragedy

## Police told to end routine stop and search of suspects after legal probe

By **Graham Grant**  
Home Affairs Editor

**POLICE** are to be barred from stopping and searching suspects unless they have 'reasonable grounds' to believe they are involved in crime.

Currently, officers can carry out 'consensual' searches if the suspect agrees to co-operate.

But a damning report by a panel led by respected human rights lawyer John Scott, QC, - commissioned by the Scottish Government - said this was of 'questionable lawfulness and legitimacy, with poor accountability'.

Stop and search rates in Scotland are the highest in the UK, with a significant number of young people targeted. Police Scotland has also been criticised over inaccurate data about the practice.

But the Scottish Police Federation, which represents rank-and-file officers, warned that scrapping consensual searches would hinder crime-fighting.

The stop and search group called for a code of practice backed by law. A majority of members also agreed that consensual searches should come to an end at the point at which the code comes into effect.

'All searches by police officers in Scotland of persons not in custody should thereafter be undertaken on the basis of statutory powers exercised in accordance with the code of practice,' the report says.

'If non-statutory stop and search is ended, officers will

still be able to carry out their duties effectively.'

The report calls for a consultation on whether to give officers the power to search children under 18 for alcohol when they have reasonable grounds for suspicion.

It also says the force should provide regular data about stop and search to the Scottish Police Authority watchdog.

### 'Driven by a target culture'

Earlier this week, the First Minister confirmed that a statutory code of practice would be introduced.

The report says that non-statutory stop and search has been used 'disproportionately on children'.

It adds: 'The unseen consequences of dented or broken public confidence, particularly in deprived areas of the country, should not be ignored. It

Complacency from SNP ministers and police chiefs allowed this to go on for two years

Alison McInnes



seems clear that the use of targets... led to a proliferation in the use of the tactic, both before and following the establishment of Police Scotland.'

Lib Dem justice spokeswoman Alison McInnes said: 'Driven by an unhealthy targets culture... the practice unfairly targeted young and vulnerable people across Scotland. Complacency from SNP ministers and police chiefs allowed it to go on for more than two years.'

Police Scotland Assistant Chief Constable Wayne Mawson said: 'The number of consensual or non-statutory searches carried out by officers has fallen significantly and this clear framework for the future will be reflected in our training for officers and continued work with the SPA in improving the transparency of information available.'

'We are committed to ensuring that stop and search remains a proportionate and appropriate tactic available to officers.'



Damning report: Nicola Sturgeon and Michael Matheson yesterday

## Sheku's family to help choose new experts

THE family of a man who died in police custody will help investigators choose experts to assist their inquiries.

Sheku Bayoh, 31, was detained by police in May after being accused of carrying a knife.

He lost consciousness while being restrained by officers in Kirkoaldy, Fife.

Yesterday, the father of two's family met Kate Frame, the Police Investigations and Review Commissioner (PIRC), who is leading the independent investigation into his death.

PIRC invited the family to participate in the investigation. It is believed they will help instruct two more experts.

Earlier this week, it emerged PIRC

By **Rachel Watson**

had spoken to two pathologists who support the existence of the condition 'excited delirium', which has been cited in many death-in-custody cases.

Mr Bayoh's cause of death has not been determined. His family believe that officers who arrested him in May used handcuffs, leg restraints, CS spray and batons.

A source close to them revealed that Mr Bayoh's body had been covered in cuts and that he had suffered a fractured rib, as well as a deep cut above his eye.

Speaking after the meeting with Mrs Frame, which was attended by Mr Bayoh's partner Colette Bell and sister Kadi Johnson, the fami-

ly's solicitor Aamer Anwar said: 'The Bayoh family advised the commissioner that their confidence in PIRC has been shattered.'

'PIRC's identification of two pathologists who supported the controversial theory of excited delirium was the final straw.'

'Fortunately, the Lord Advocate and the commissioner have made it clear that it is important that Sheku's family have confidence in the objectivity of those experts instructed and reassured them that the Crown will instruct further experts.'

'Today the family raised questions about the independence and the authority of PIRC, it's extremely close relationship with Police Scotland and repeated failures to use its powers or to counter deliberate lies

fed into the public domain by police sources.'

'The Bayohs spoke out because they believed PIRC's investigation was fatally flawed and more concerned about protecting the police from criticism than holding them to account. The family had cited allegations of police malpractice which goes to the heart of this investigation, yet appeared to be ignored by PIRC.'

A PIRC spokesman said: 'The commissioner today met with the family and updated them on the investigation.'

'The commissioner reassured the family that she and her team are objectively exploring all lines of inquiry. She invited the family to participate in the process of identifying additional experts.'



Died in custody: Sheku Bayoh

# of stop and search 'on a whim'

## Staff cuts raised risk, says M9 crash report

Paris Gourtsouyannis

Pressure on staff is "unacceptably high" at the police call centre that failed to log the alert about the M9 crash in which two people died, an independent investigation has found.

A review launched following the deaths of Lamara Bell and John Yuill after their car swerved off the road found that cuts to support staff were putting the public at risk.

Accepting the findings of Her Majesty's Inspectorate of Constabulary in Scotland (HMICS), the Scottish government suspended planned closures of call handling centres until 75 additional staff are trained.

Targets for answering non-emergency 101 calls were missed across the north of Scotland, the review found. An interim report from HMICS stated that "pressure of call demand on remaining staff remains unacceptably high, with overflow calls being routinely diverted from Dundee and Inverness to sites in Govan, Motherwell and Bilston Glen".

Bouncing calls between control rooms in the north and south of Scotland is "creating additional risk", the report added. Problems will not be solved until all police call centres have the "full complement of trained staff".

Call centres in Aberdeen and Inverness were due to be closed, with their functions transferred to Dundee. The report called for them to remain open while the changeover takes place.

The review was ordered following the deaths of Ms Bell and Mr Yuill in July after their car left the road. A call from a passing motorist was not logged properly at the Bilston Glen call centre in Midlothian, and officers did not attend the crash until a second call was made three days later.

Mr Yuill was found dead at the scene. Ms Bell was taken to hospital but died four days later of her injuries.

Sir Stephen House, the chief constable, blamed the mistake on an "individual failure", despite Police Scotland shedding 2,000 civilian support staff since its creation.

Ms Bell's family, who are caring for her son Kieran, urged authorities to learn lessons from her death.

A statement issued on behalf of Kieran's father, Lee Burt, and his grandfather, James McMillan, welcomed the report but added that "a great deal still remains to be investigated".

"The Scottish government must act on all the interim findings," the statement said. "Ordinary people who entrust their lives to call centres must be 100 per cent sure that their cries for help will be answered."

"Lessons must be learned as soon as possible so that no child has to experience what our Keiran is going through."

HMICS investigators audited 1500 calls to 999 and 101 numbers as part of the review. A final report is expected to be handed to ministers by the end of October.

## New chief will start review

The former chief executive of a media conglomerate has been appointed chairman of the Scottish Police Authority and has immediately been given the job of changing the direction of policing.

Andrew Flanagan was appointed by Michael Matheson, the justice secretary, to lead oversight of Police Scotland and was instructed to launch a review of governance.

Mr Matheson said the governance review would focus on continuing to

deliver community policing in the face of continuing cuts to funding and would "lay the foundations for the years ahead".

Mr Flanagan, a civil service commissioner and director at the NHS Business Services Authority, headed the Scottish Media Group between 1998 and 2006. During his tenure SMG owned STV, Virgin Radio and the Herald & Times newspaper group. He was chief executive of the NSPCC until 2013.

## on inquiry Force faces greater scrutiny

completed, they will be passed to the lord advocate for his consideration.

"The commissioner reassured the family that she and her team of investigators are objectively exploring all lines of inquiry and has encouraged the family to contribute to that process."

A statement released after the meeting by Aamer Anwar, the family's solicitor, said their confidence in Piric had been "shattered" in recent weeks.

It urged the commissioner to "deliver results rather than more broken promises", adding: "The family raised questions about the independence and the authority of Piric; its extremely close relationship with Police Scotland and repeated failures to use its powers or to counter deliberate lies fed into the public domain by police sources." Referring to the statement in the Scottish parliament, Mr Anwar said: "The family welcome the Scottish government's national review of Police Scotland."

Continued from page 1  
warned this would happen, the Scottish Police Authority was warned this would happen, and the Scottish government was warned this would happen. Nicola Sturgeon has to explain why nobody took notice."

Labour leader Kezia Dugdale said: "In the two years since Police Scotland has been established we have seen searches on children spiralling out of control, police counters closed, allegations of spying on journalists, police armed without the consent of parliament or the Scottish people and two tragic deaths."

"Men and women putting their personal safety on line to keep people safe have been let down."

The next chief constable of Police Scotland will face increased scrutiny from local communities, and a review of police governance will set out new priorities for the national force, Mr Matheson announced.

He also said closures of three police call handling centres will be suspended following an independent probe which found that staff shortages had heaped pressure on staff answering both 999 and non-emergency 101 calls.

Emergency funding of £1.4 million will be made available to pay for the recruitment and training of 75 extra police call handlers to ease the pressure on overstretched staff, he added.

On stop and search, he said that police will no longer be able to stop and search members of the public where they have no suspicion of wrongdoing, after a prominent human rights lawyer investigating the practice said its use was excessive and of limited effectiveness in reducing crime.

The justice secretary said "The action I am announcing will address the challenges and help us learn from the initial years of reform. It will ensure policing in Scotland is effective, accountable and community-focused."

## Marines under fire from police over beach assault

Don't tell it to the Marines. An assault team from the Royal Navy unit have had to tone down a planned demonstration at the Scottish Airshow this weekend after an objection by Police Scotland (Gabriella Swerling writes).

The Royal Marines are planning to storm the beach at Low Green, south of Ayr, to entertain the large crowd expected to gather for the popular event.

However, local Police Scotland commanders expressed concern to councillors and show organisers about the extent of the action.

The airshow has now agreed to "revise" the Royal Navy capability demonstration, with no rapid gunfire, "scaled back" explosions and no fireball.

Chief Superintendent Gillian Macdonald, area commander for Ayrshire, said: "I am delighted that the concerns

expressed by Police Scotland in respect of the proposed Royal Navy 'beach assault' have been taken on board by the event organisers and that a revised plan has been agreed which will enable the delivery of a safe, secure and enjoyable event minimising the risk to public safety."

However, the airshow and other parts of the entertainment programme will not be affected by the move.

A spokesman said: "There's a number of things that the police were uncomfortable with that the navy were OK to change, but I believe the integrity of the display is fine."

"There will be guns and there will be firing but it's on a reduced scale and it's simulated so they will be firing blanks. The planned explosions have also been scaled back."



from a wrecked car off the M9 three days after police were notified that there had been a crash. She died four days later

## News Police Scotland

# Damning verdict on police's use

Paris Gourtsouyannis

Police Scotland's use of controversial stop and search tactics was excessive, lacked accountability and was likely to be illegal, according to a review by the human rights lawyer John Scott QC.

The independent report paints a picture of a practice that grew in the absence of scrutiny, with little evidence that it was helping to reduce crime.

Non-statutory stop and search, where police have no grounds to suspect wrongdoing and must seek the consent of the person being searched, will be abolished in line with the report's recommendations, the Scottish government confirmed yesterday.

Police authority was used to "target individuals for no good reason other than a general suspicion, hunch or whim" and without any legal basis. One officer admitted to the review that the tactic allowed him to "satisfy his curiosity". Children and adults with learning disabilities were searched without fully understanding their right to refuse.

Mr Scott's review found that officers were given targets for searches, despite consistent denials from the top of Police Scotland, including the chief constable, Sir Stephen House.

"It seems clear that the use of targets, or KPIs, featuring stop and search, led to a proliferation in the use of the tactic, both before and following the establishment of Police Scotland," the report states.

"Despite repeated statements to the contrary from the chief constable and senior officers, individual officers felt under pressure to make sure that they carried out enough stop and searches to address what they felt was being required of them."

The report adds: "Even some police sources have conceded that the extent of use of the tactic took it beyond any available intelligence and best use of officer hours." Officers were trained not

to inform individuals of their rights before being searched, according to evidence given to the review by senior police figures.

Members of the review panel were told that, in some cases, searches recorded in police statistics simply did not take place. The unreliability of data on the tactic was "most unfortunate" and meant there must be a "major health warning" on any official account of how widespread the use of stop and search was.

Drawing on 15 years of academic re-



Sir Stephen House had denied officers were given targets for stop and search

search, the report outlines how an "intensive approach" to stop and search was introduced within Strathclyde Police in the 1990s, and grew despite concerns repeatedly being raised, including by some officers.

There were numerous "missed opportunities" to avoid the uncontrolled expansion of the tactic.

"It has seemed almost to become the default tactic in some areas," the report states, "with targets and its prevalence distorting police activity to some extent, with officers engaged in mostly

fruitless searches as opposed to other duties."

Mr Scott's report rejects claims that the abolition of non-statutory stop and search will create a gap in police capabilities, stating that officers "will still be able to carry out duties effectively".

Police Scotland has already effectively abandoned the tactic following intense scrutiny this year, with no appreciable impact on policing or crime levels. The profile of all searches carried out has been inverted, with just three in ten being statutory prior to June 2015, while the same proportion have been non-statutory since then.

Statutory searches yield results 30 per cent of the time, the report states, while just 10 per cent of non-statutory searches uncover illicit material. That drops to just 3 per cent when alcohol seized from minors is excluded.

Michael Matheson, the justice secretary, said that amendments would be introduced to the Criminal Justice Bill in the Scottish parliament this month. Several amendments have already been lodged by the Liberal Democrats, pushing for the abolition of non-statutory stop and search.

Alison McInnes, the Lib Dem justice spokeswoman, said: "This report confirms that hundreds of thousands of people have been the subject of unregulated and arguably unlawful police searches. Driven by an unhealthy targets culture and a one-size-fits-all approach, the practice unfairly targeted young and vulnerable people across Scotland. Complacency from SNP ministers and police chiefs allowed this to go on for more than two years."

Assistant Chief Constable Wayne Mawson said that the police were working to carry out the report's recommendations. He said: "We are committed to ensuring that stop and search remains a proportionate and appropriate tactic available to officers to disrupt and prevent offending."

## Sea-change in standards must extend to all areas of policing

Dr Kath Murray  
Comment

The John Scott Advisory Group has placed fairness and due process at the heart of their conclusions. The report signals a shift from the robust crime-control outlook advocated by chief constable Sir Stephen House to a consideration of policing which takes into account the wider costs of intrusive policing tactics: the fact that the excessive use of stop and search can damage police-community relationships and reduce people's willingness to cooperate with officers.

Encouragingly, this shift appears to be reflected in the latest stop and search statistics. Recorded levels of stop and search have fallen significantly in recent months, the proportion of non-statutory searches has fallen, detection rates have improved and young people and children are far less likely to be targeted. In June 2015, 1,292 stop searches and 382 seizures were recorded on children aged 15 and under, a total of 1,674. This

represents a 62 per cent drop in recorded searches and seizures on the same period in the previous year.

Looking back, the report delivers a stark assessment of "unfettered and unmonitored" stop and search practices which date back to the 1990s. Importantly, the report also highlights the "missed opportunities", noting for instance that stakeholders were alerted to concerns around non-statutory stop and search in 2002, and again in 2012-13.

Whilst the story of stop and search in Scotland has been viewed as a matter of target-driven, enforcement-styled policing, it equally boils down to a lack of police accountability: to minimal scrutiny and a dearth of open-access data prior to 2014.

In 2012-13, the year before the Police Scotland merger, search rates in Scotland exceeded those in England and Wales seven times over. Yet, at this juncture, stop and search was viewed as a "non-issue".

In recent months, accountability for stop and search has improved almost beyond recognition. By dint of an upgraded database, robust recording standards and stringent

monitoring procedures, stop and search data is now fit for purpose and detailed statistics are available online. This means that, for the first time, the use of these intrusive powers can be properly scrutinised.

Whilst this data marks a sea change in Scottish policing in terms of base-line accountability, it is only part of the story. Looking ahead, the onus is now upon Andrew Flanagan, the newly appointed chair of the Scottish Police Authority, to ensure that police search practices are rigorously scrutinised.

It is also incumbent on the authority to ensure that the same high standards are extended to other areas of police practice. As the John Scott report points out, stop and search is only a small part of policing.

Good policing needs to be fair and effective. Robust accountability mechanisms, accurate data, expert knowledge and transparency are required to achieve both of these aims.

Dr Kath Murray is a research fellow with the Scottish Centre for Crime and Justice Research, and published the first study into the use of stop and search by Police Scotland.



Sheku Bayoh, left, who died in police custody, and Lamara Bell, who was pulled

## Bayoh's family to get say

Jeremy Watson

The family of a young father who died in police custody are to be given a say in how the investigation proceeds.

Sheku Bayoh, 31, died after being detained after an incident in Kirkcaldy, Fife, on May 3.

His relatives had previously questioned the independence of the Police Investigations and Review Commissioner (Pirc) inquiry into what happened. After a meeting between Kate Frame, the commissioner, and Mr Bayoh's family in Hamilton yesterday, they will now be allowed to help to select extra experts to help the inquiry.

Mr Bayoh stopped breathing after being restrained by officers responding to reports of a man carrying a knife, and was declared dead at Victoria Hospital in Kirkcaldy. His family say that police used CS spray, batons, handcuffs and leg restraints during the incident. A

post-mortem examination of Bayoh's body proved inconclusive: forensic pathology experts have been sought from outside Scotland to help establish the cause of death.

Pirc has submitted its initial findings on the case to Frank Mulholland, lord advocate. The family said it concerned that it included a re-commissioned from US-based expert in "exited delirium". The condition has been blamed by police forces in Africa and England for previous deaths in custody and is said to involve a person showing symptoms including am hallucinations, violent behaviour "superhuman" strength.

Pirc said that it had been conducting extensive inquiries into the death was determined to establish what happened. A spokesman said: "The commissioner today invited the family to participate in... identifying additional experts. Once all expert report



# Stocks recovering as fishing hauls increase by nearly a third

MARK MCLAUGHLIN

NEARLY one-third more fish were landed last year but there has been a decline in jobs, large vessels and the prices of some of Scotland's most valuable species, official figures show.

The total quantity of fish landed rose by 31 per cent in 2014 compared with the previous year, but the total value only rose 18 per cent due to falling herring, mackerel and hake prices.

There were 196 fewer fishermen,

down four per cent to 4,796 compared with the previous year, and 11 fewer vessels over 10m, down to 583, although there were 21 additional smaller vessels below 10m, rising to 1,447.

The real terms price per tonne for herring has dropped by nearly 25 per cent, mackerel is down 15 per cent and hake and monkfish down less than 10 per cent, although there has been 20 per cent rise in the value of haddock and a smaller rise in the value of shellfish.

Bertie Armstrong, chief executive of the Scottish Fishermen's Federation, said: "These statistics highlight the importance of fishing to the Scottish economy and its crucial role in supporting fragile coastal communities."

"While the figures at first glance appear to reflect a buoyant industry, they should be treated with caution because most of the increase in value and volume can be attributed to mackerel, which saw a large increase in quota last year due to the abundance of stock.

"However, the underlying good news is that the majority of fish stocks of interest to our fishermen - such as North Sea haddock and cod - are either in good health or are heading in the right direction."

"But major challenges remain. Of particular significance is the fact that the quota allocation for whitefish was almost fully taken up in 2014. This means that when the landing obligation, or discard ban as it is known, starts to be phased in from January 1, 2016, as things stand there is currently very little

room for manoeuvre for the fleet. These landing figures underline that if the discard ban is to work, there is the real need for there to be sensible compensatory quota increases to account for the fact all fish caught have to be landed.

He also said there needs to be a balance of protecting the marine environment while ensuring the maximum sustainable yield from fishing.

Fisheries Secretary Richard Lochhead said: "I am encouraged by today's figures which indicate

the value of fish landed by Scottish vessels in 2014 increased by 18 per cent in real terms from the previous year - with a value of £514 million. "It is good to see the overall volume of landings from the Scottish fleet hold up well in 2014 increasing in fact by 31 per cent."

"I'm pleased the value of mackerel landings increased in real terms by 52 per cent in 2014 compared to 2013 - it is the most valuable stock to the Scottish fleet accounting for £195 million, of the total value of Scottish landings."

# Law chief drafts in forensic experts for Bayoh inquiry

Team to help determine how Fife man died in police custody

BRIAN DONNELLY  
SENIOR NEWS REPORTER

A NUMBER of forensic experts are to be drafted in to help with a police watchdog's inquiry into the death of a man in police custody.

The forensic pathologists have been commissioned, on the instructions of the Lord Advocate Frank Mulholland, to further probe and give their opinion on how Sheku Bayoh died in Kirkecaldy, Fife, in May.

Mr Bayoh's family, who have been campaigning to find out how the 31-year-old died, will also take part.

The Police Investigations and Review Commissioner (Pirc), who is conducting the probe, said Mr Bayoh's family has been asked to help in identifying additional experts following a meeting with commissioner Kate Frame.

Mr Bayoh, a father of two, died on May 3 after police were called over a man carrying a knife in the street. He was restrained by officers using CS Gas. He died following the incident which involved up to nine officers and left a female constable injured.

Mr Bayoh's partner, Collette Bell, and his sister Kadjiarut Johnson have been at the forefront of the campaign for information.

Aamer Anwar, the family's lawyer, said a number of concerns have already been raised with the Pirc, and that their confidence in the probe was "shattered".

He said: "The Bayohs spoke out because they believed Pirc's investigation was fatally flawed and more concerned about protecting the police from criticism, than holding them to account."

"The Bayohs demand justice and impartiality."

"They took no comfort in their belief that Pirc is unfit, under-



SHEKU BAYOH: Died after police officers restrained him.

resourced and lacking powers to investigate the death in custody of Sheku."

He added: "The family welcome the Scottish Government's national review of Police Scotland, but if it is to be more than a 'cosmetic exercise' then they cannot afford for Pirc to be seen publicly as a toothless regulator which only serves to whitewash police wrongdoing."

A post-mortem examination was inconclusive and it was reported there were family concerns that experts called in by investigators may blame a medical condition known as excited delirium, which has been cited in other custody deaths.

It is used to describe the state of a person who, as a result of mental illness or drug use, becomes agitated, violent and displays extreme strength.

The Pirc said the fact forensic pathology experts from outside Scotland have been contacted is not a sign it has focused on a particular cause of death and that all lines of inquiry are being explored to establish the facts.

A Pirc spokesman said Ms Frame updated the family on the work that has been undertaken to date in the investigation.

He said: "The family were also provided with updates regarding



BATTLE: Collette Bell, left, the partner of Sheku Bayoh, and his sister Kadjiarut Johnson have been at the forefront of the campaign for information.

ongoing investigative work and given the opportunity to provide any information which they consider is relevant to the investigation.

"The commissioner considered that the meeting was constructive and welcomed the opportunity to listen to the family's concerns and confirmed that they are being addressed through a robust investigation."

"Central to this is providing the family with a clear understanding of what caused Sheku Bayoh's

death, since the post mortem conducted shortly after was inconclusive."

He added: "To this end, a number of expert forensic pathologists have been commissioned, on the instructions of the Lord Advocate, to further investigate and provide an opinion on how Sheku Bayoh died."

"The commissioner reassured the family that she and her team of investigators are objectively exploring all lines of enquiry and has encouraged the family to contribute to that process."



TAKING A STAND: Solicitor Aamer Anwar and members of Mr Bayoh's family.

# Pizza Express to scrap controversial fees on staff tips paid by bank card

PIZZA Express is to remove an eight per cent administration fee on staff tips made by card, the company has announced.

The fee will stop on October 6 and follows a campaign by unions to allow restaurant workers to keep tips left by customers.

Pizza Express said a new automated system will be introduced across its 430 restaurants, which employ 10,000 staff.

Tips made by cards will be "fully distributed" among employees, said the firm.

The firm's chief executive, Richard Hodgson, said: "We

recognise that our team members are critical to delivering the fantastic customer experience that Pizza Express has built over many years."

"As a leader in the casual-dining industry, we are committed to best practice and to ensuring that our people are properly rewarded

for the valuable contribution they make to our business."

"We have always been, and will continue to be, transparent about our tipping policies. We also agree with calls for greater clarity across the industry in order to ensure that staff are given a fair deal, and to enable customers to

make an informed choice when it comes to tipping."

"We want people to recognise that this is a company that values employees and offers long-term opportunities. I'm committed to ensuring we continue to work on improving the image of our sector, and to ensure

we appeal to talented, ambitious people with the right mix of skills."

"We are playing our part by investing heavily in apprenticeships and the creation of 2,500 new jobs over the next few years and we welcome the Government's decision on the Living Wage

which we will be adopting in full."

Business Secretary Sajid Javid has launched a protest into tipping after leading restaurant chains were accused of keeping all or part of the service charges automatically added to bills rather than passing them on to staff

# WE THOUGHT WE'D HAD OUR CHIPS..



Mystery... dad Sheku

## Sheku's family in talks fury

By LUCY CHRISTIE

CUSTODY death dad Sheku Bayon's relatives demanded an end to "broken promises" yesterday after talks with the official heading a probe into the tragedy.

They told police investigation commissioner Kate Frame during the meeting in Hamilton they had no faith in her inquiry.

The watchdog chief's spokesman described the outcome as "constructive", including a pledge on more medical experts.

But family lawyer Aamer Anwar said: "If confidence is to be restored they will expect her to deliver results."

Father-of-two Sheku, 31, perished after he was restrained by officers responding to a call-out in Kirkcaldy on May 3.

Post mortem results have failed to reveal the cause of death.

## Aspirin 1 cancer 0

TAKING a combination of aspirin and ground-breaking drugs could help thousands survive cancer, a study suggests.

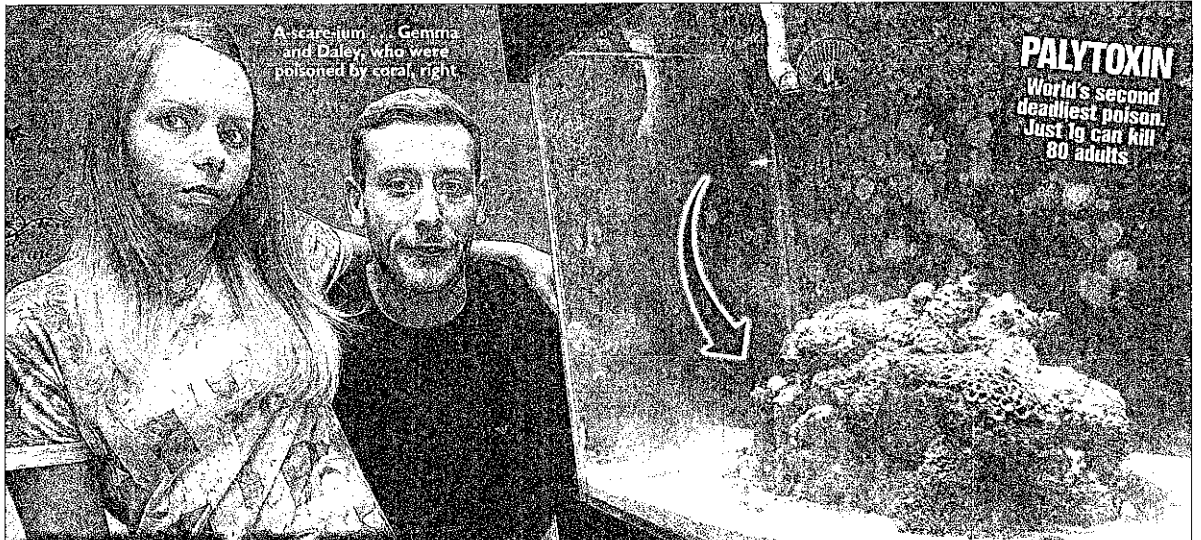
Tests on mice showed the painkiller and immune system therapy help destroy a molecule, prostaglandin E2, which protects cancer cells.

Its removal allows the immune system to fight tumours. Researchers said it could be "life-changing".

Cancer Research UK, who funded the study, said: "This is exciting."

## ASS-STOLE

Thieves took a life-size fibreglass charity donkey called Doty from a show at Lingfield, Surrey.



A scare-jum... Gemma and Daley, who were poisoned by coral, right

**PALYTOXIN**  
World's second deadliest poison.  
Just 1g can kill 80 adults

# KILLER FISH TANK

EXCLUSIVE by DEAN WILKINS

**A COUPLE almost died after they were infected by one of the world's deadliest poisons while cleaning their fish tank.**

Daley Gane, 31, thought nothing of it when mucus from a £120 coral rock got into a cut on his finger.

But within hours he and new fiancée Gemma Peters, 31, and their shih tzu Gizmo were in agony.

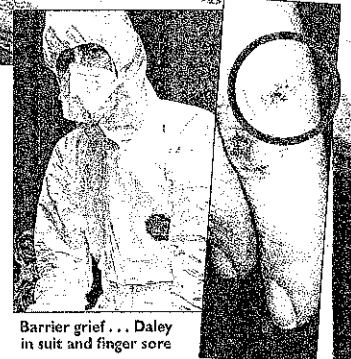
After vomiting violently as their organs began to shut down, decorator Daley called the NHS advice line for help.

They said it was marine poison palytoxin, often found in zoanthid "soft corals". Just one gram could kill 80 adults.

Daley, of Wythenshawe, Greater Manchester, said: "We'd just got engaged but leaving Gemma hours from death was not the way I intended to celebrate."

"Doctors said if we hadn't gone to hospital so soon we would've died. And from a piece of coral of all things."

HR worker Gemma said: "It was like the life was being sucked out of us. The pain was like nothing we'd ever experienced." Medics treated them for dehydra-



Barrier grief... Daley in suit and finger sore

tion. They were let out of hospital after 18 hours with anti-contamination suits.

It is thought Gemma and Gizmo were poisoned by inhaling fumes or by touching Daley after he was contaminated.

The Sun's Dr Carol Cooper said: "Palytoxin paralyzes nerves, so causes muscle pain, gastric symptoms, trouble breathing, heart problems, even coma and death."

dean.wilkins@the-sun.co.uk

## Couple infected by deadly poison in coral rocks

FROM THE PRODUCERS OF THE TAKEN TRILOGY

"THE FIGHTS ARE FIRST-CLASS"

IGN

"FULLY PUMPED UP WITH FAST CARS AND FAST WOMEN"

MTV UK

★★★★★  
ZOO

"FRESH, SLICK & ACTION-PACKED"

★★★★★  
FLAVOUR MAG

# THE TRANSPORTER REFUELED

AT-TRANSPORTER | AT-TRANSPORTERMOVIES



IN CINEMAS NOW  
EXPERIENCE IT IN IMAX

## Unions back 'disappointing' two-year deal

TEACHING unions have signalled their support for a deal on pay and conditions despite branding the offer "disappointing".

The Scottish Secondary Teachers' Association (SSTA) said it had "reluctantly" agreed to accept the two-year pay settlement proposed by Scotland's council leaders.

The Educational Institute of Scotland (EIS), Scotland's largest teaching union, is to ballot its members on the deal but its salaries committee will recommend that members accept it.

The revised proposal is for a 1.5 per cent increase for the financial year 2015-16 and a further 1 per cent in 2016-17.

## Salmond admits that he prefers 'people of faith'



FIRST Minister Alex Salmond has said he prefers "people of faith".

Mr Salmond created a video with Rev Stuart MacQuarrie, Church of Scotland chaplain to the University of Glasgow, who delivered the opening Time For Reflection of the new session of parliament this week.

Mr Salmond said: "I am biased, of course, because I am a Church of Scotland adherent and I prefer people of faith to people of no faith or people who have lost their faith."

"All denominations have a key role to play in society."

## 'Named person' opponents vow to keep fight up

OPPONENTS of plans to appoint a "named person" for every child in Scotland have vowed to fight on after losing their latest court battle against the policy.

The No To Named Persons (NO2NP) campaign said it would appeal a ruling from Scotland's top civil court dismissing their legal challenge.

The measure will assign a single point of contact looking out for the welfare of children.

The Scottish Government says the service will act as a safety net to help families and children, to speed things up and avoid families having to speak to different services.

# Former Times chief to head police authority



Andrew Flanagan has been named in chairman role

A FORMER NSPCC chief has been appointed as the new chairman of the Scottish Police Authority.

Andrew Flanagan, a chartered accountant and a former chief executive of previous Evening Times owners SMG, will fill the part-time role from Monday, September 7, until September 2019.

He replaces Vic Emery. And one of his first jobs will be to appoint a successor to Chief Constable Sir Stephen House, who announced last week that he will step down early from the role.

Mr Flanagan said: "The Scottish Police Authority has a unique role at the heart of policing and I'm delighted to

be taking on such a demanding and exciting role. While I recognise the challenges we face, I believe there is much to build on in Scottish policing - not least the excellent work undertaken every day by the thousands of officers and staff.

"I look forward to working with them - and everyone with an interest in this crucially

important public service - to ensure policing delivers for communities."

Mr Emery ended his three-year tenure of the role saying the new chairman should oversee the appointment of Sir Stephen House's replacement to ensure a strong relationship between the two new leaders from the outset.

# Force to get £1.4million for control room staff

## Matheson pledges measures to tackle recent controversy

POLICE Scotland has been given £1.4 million to recruit control-room centre staff after the Justice Secretary said he does not want another family to experience the loss of those affected by the M9 tragedy.

Michael Matheson addressed the multiple controversies that have engulfed Police Scotland in a statement to parliament.

He pledged to implement the recommendations of two independent reports into stop-and-search and police call-handling which were published yesterday.

Mr Matheson also pledged to strengthen police scrutiny, urged public authorities to comply with the law amid allegations of police spying on



The probe into the death of Sheku Bayoh, left, is said to be well advanced

journalists and said an investigation into the death in custody of Sheku Bayoh is "well-advanced".

The Justice Secretary said he is "truly sorry" for the circumstances surrounding the deaths of Lamara Bell and John Yuill, who lay undiscovered in a wrecked car for three days despite a sighting of the vehicle being reported to a police call-centre.

He confirmed the Scottish Government would implement the recommendation of HM Inspectorate of Constabulary (HMICS) to keep the Dundee, Aberdeen and Inverness control-centres open until Govan and Bilston Glen

have a full complement of staff and working systems, and the new control-room in Dundee is fully operational.

The remaining phases of the control-room reform programme "will only proceed once the SPA (Scottish Police Authority) and HMICS are completely reassured all these issues have been addressed", he said.

He added: "This recommendation will require the accelerated recruitment of 70 to 75 call-handling staff to consolidate service centre operations, plus additional area control-room staff to ensure that the combined north area control-room in Dundee is

fully operational before the closure of the Aberdeen and Inverness control-rooms.

"The M9 incident had terrible consequences and I do not want any family to go through that experience again."

Relatives of Sheku Bayoh called for "results rather than broken promises" after meeting the head of the team investigating his death in custody.

The family of the Fife man told Police Investigations and Review Commissioner (Pirc) Kate Frame that their confidence in the body had been shattered in the weeks following his death.

Father-of-two Mr Bayoh, 31,

died after being restrained by officers responding to a call in Kirkcaldy on May 3.

A statement issued by the family's lawyer Aamer Anwar said: "Despite an expanded remit, over 17 weeks the Pirc gave an impression of uncertainty about precisely what was being investigated, for what purpose and by what means."

"The Bayohs respect the commissioner's willingness to meet with them in what was a very robust and difficult meeting to hear their concerns, but if confidence is to be restored they will expect her to deliver results rather than more broken promises."

# Minister calls an end to controversial stop-and-search

POLICE Scotland is to stop carrying out non-statutory stop-and-searches of adults and children, the justice secretary confirmed.

It comes after the Scottish government asked John Scott QC to examine the controversial practice. His report found that ending the searches would not prevent officers carrying out their duties effectively. Jus-

tice Secretary Michael Matheson said a new new statutory code of practice, as recommended by Mr Scott, would be introduced to underpin how stop and search is used in Scotland.

In March, the force confirmed there would be a presumption against consensual, or non-statutory, stop and search for all age groups.

These searches differ from statutory searches, where a person is stopped under legislative powers and reasonable suspicion is required.

The report concluded: "Non-statutory stop and search lacks any legal framework and is of questionable lawfulness and legitimacy, with poor accountability."

"All searches by police officers in Scotland of persons not in custody should thereafter be undertaken on the basis of statutory powers exercised in accordance with the code of practice."

"If non-statutory stop and search is ended, officers of Police Scotland will still be able to carry out their duties effectively."



Michael Matheson has apologised for the circumstances surrounding the deaths of John Yuill and Lamara Bell







# 'We want results not broken promises'

## Commissioner meets Bayoh family to listen to concerns about the investigation

BY GREG RUSSELL

**R**ELATIVES of Sheku Bayoh, the father-of-two who died in police custody in Fife, have said they want "results rather than broken promises" after meeting the woman leading the inquiry into the death.

They told Kate Frame, the Police Investigations and Review Commissioner (PIRC), yesterday that their confidence in the body had been shattered in the weeks following Bayoh's death on May 3, after he was restrained by officers responding to a call in Kirkcaldy.

A post mortem examination of the 31-year-old's body proved inconclusive and forensic pathology experts have been sought from outside Scotland to help establish how he died. Relatives had been concerned that experts may have blamed a medical condition - "excited delirium" - which has been cited in other custody deaths.

The commissioner yesterday invited the family to help identify the additional experts.

Their lawyer Aamer Anwar told The National: "Last week the family welcomed the Lord Advocate's offer to work with the family on the selection of experts. "Today we agreed to share the findings of our expert Dr Nat Cary with the PIRC and details of suitable experts will be provided to PIRC in the next few days."

He added: "PIRC's identification of two pathologists who supported the controversial theory of excited delirium was the final straw.

"Fortunately the Lord Advocate and the Commissioner Kate Frame have made it clear that it is important that 'Sheku's family have confidence in the objectivity of those experts instructed' and reassured them that the Crown



Sheku Bayoh's family, accompanied by Aamer Anwar, centre, arrives at the meeting with Frame

will instruct further experts." Anwar said the family also raised questions about the independence and authority of PIRC, its "extremely close" relationship with Police Scotland and its failure to counter "deliberate lies fed into the public domain by police sources".

"The Bayohs spoke out because they believed PIRC's investigation was fatally flawed and more concerned about protecting the police from criticism than holding them to account," said Anwar.

"The family had cited allegations of police malpractice which goes to the heart of this investigation, yet appeared to be ignored by the PIRC."

He said the family demanded justice and impartiality and took "no comfort" in their belief that PIRC was "unfit, under-resourced and lacking powers" to investigate Bayoh's death.

"The family welcome the Scot-

tish Government's national review of Police Scotland, but if it is to be more than a 'cosmetic exercise' then they cannot afford for PIRC to be seen publicly as a toothless regulator which only serves to whitewash police wrongdoing.

"To this end the Bayohs respect the commissioner's willingness to meet with them in what was a very robust and difficult meeting to hear their concerns, but if confidence is to be restored they will expect her to deliver results rather than more broken promises."

Following the meeting, a spokesman for the PIRC said the family had been updated on the work undertaken so far.

"The commissioner considered that today's meeting was constructive and welcomed the opportunity to listen to the family's concerns and confirmed that they are being addressed through a robust investigation," he said.

The spokesman added that central to that aim was giving the family a clear understanding of what caused Bayoh's death.

He said: "To this end, a number of expert forensic pathologists have been commissioned, on the instructions of the Lord Advocate, to further investigate and provide an opinion on how Sheku Bayoh died.

"The commissioner today invited the family to participate in the process of identifying additional experts. Once all expert reports are completed they will be passed to the Lord Advocate.

"The Commissioner reassured the family that she and her team of investigators are objectively exploring all lines of enquiry and has encouraged the family to contribute to that process."

The PIRC has submitted an interim report to the Crown Office and will publish its full report later.

**MAILROOM OPERATOR**

The Herald & Times Group operate some of Scotland's best loved media brands, reaching an audience of close to 4M adults every month via our market-leading platforms The Herald, The Evening Times, The Sunday Herald and The National newspapers and [heraldscotland.com](http://heraldscotland.com), [eveningtimes.co.uk](http://eveningtimes.co.uk) and [thenational.scot](http://thenational.scot)

A vacancy has arisen within our state of the art Print Centre, located at Cambuslang, on the outskirts of Glasgow, for a part-time Mailroom Operator (21 hours per week). Reporting to the Mailroom Shift Manager/Team Leader, the key responsibilities of the role are:

- Setup and operation of a 4 station Muller Martini Primo saddle stitching line, with in-line cover feeder and ancillary add-ons
- Set up and operation of print finishing equipment
- Operation of a motorised pallet truck to support production

The ideal candidate should have experience of working in a print finishing environment and be used to operating mechanical machinery including motorised pallet trucks. Excellent team working skills, the ability to work with minimum supervision and a good knowledge of Health & Safety requirements in a similar environment is essential.

You must be able to work on a rotational shift pattern covering days and nights and be flexible in working additional overtime shifts as and when required.

To apply please go to: [t1jobs.com/heraldandtimes](http://t1jobs.com/heraldandtimes) and submit a current CV and covering letter or email details to [Annmarie.meginlay@heraldandtimes.co.uk](mailto:Annmarie.meginlay@heraldandtimes.co.uk)

Closing date: 11th September 2015

HERALDSCOTLAND.COM  
EVENINGTIMES.CO.UK  
THENATIONAL.SCO.T

**Herald Times Group**

## M9 family demands action

FROM PAGE 9

behalf. He said: "The family welcomes today's report but a great deal still remains to be investigated.

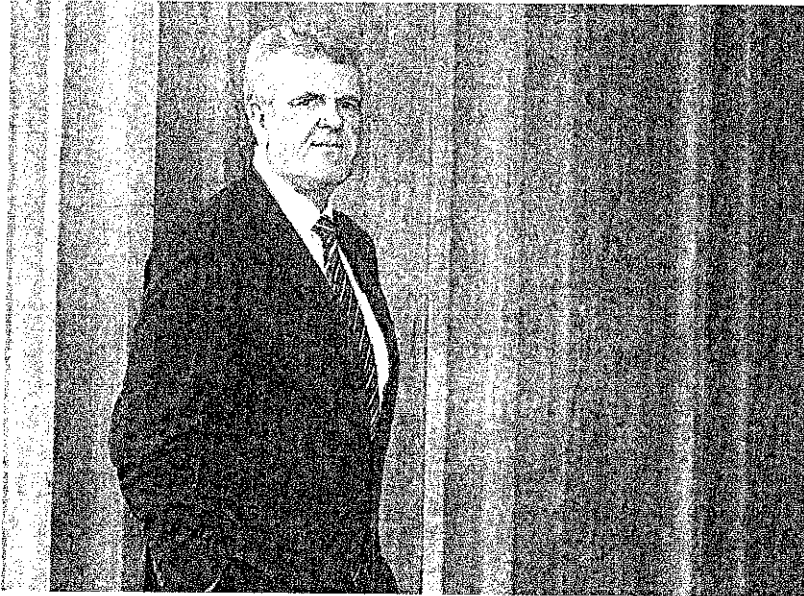
"The Scottish Government must act on all the interim findings. Ordinary people who entrust their lives to call centres must be sure that their cries for help will be answered.

"We are conscious that this tragedy has been turned into a very convenient way to scapegoat individuals, but for us it is about why a young boy will face many difficult years of going to sleep and waking up without his mummy. We have tried our best to protect Keiran - and we know



M9 crash victim John Yull

we will never be able to fill the void left in his life by the loss of Lamara - but if there is to be a legacy from this tragedy then lessons must be learned as soon as possible, so that no child has to experience what our Keiran is going through."



secondment and now there is a 50/50 split of former police officers and those from other relevant backgrounds."

## SIPR

**A**N academic body responsible for carrying out research into policing has senior officers on its committees and gives the single force the opportunity to shape its work. The Scottish Institute for Policing Research (SIPR) gives force representatives a "key role" and backs the "alignment" of its projects with Police Scotland priorities.

SIPR was established in 2007 as a collaboration between the country's universities and the police service.

In 2014-15, SIPR's core budget was £142,000, of which £50,000 came from Police Scotland. However, while policing sources believe the Institute carries out valuable work, the closeness to the force it researches has been questioned.

SIPR is comprised of an executive committee, an advisory committee, and four "networks" that focus on themed research. According to SIPR's annual report, Police Scotland deputy chief constables Neil Richardson and Iain Livingstone sit on the executive, which has "overall responsibility" for ensuring the Institute meets its research objectives.

Its advisory committee also has a police link in the form of Peter Wilson, formerly the chief constable of Fife Constabulary. Richardson, Livingstone, chief superintendent John Pow and assistant chief constable Malcolm Graham are respectively listed as the "liaison" for the SIPR networks for police-community relations, evidence and investigation, police organisation and public protection.

SIPR's extensive list of researchers also includes police officers.

The Institute's website makes clear that the officers wield significant influence on the body: "Police representatives play a key role at all levels

of the management structure of SIPR. Within the research networks, there is a senior police representative on each network steering group whose role includes bringing forward proposals for research from within the police service and helping facilitate access to police personnel and data for researchers undertaking research projects."

However, SIPR is believed to focus primarily on relatively uncontroversial research areas. Daniel Donnelly, a former police officer turned academic, raised the close links in his Scottish Police Officer book. "There is one issue that arises with SIPR and that is the high level of police involvement in the management of research into its own organisation and whether this has an impact on the topics chosen to be researched (or not to be researched) and the independence of research undertaken," he wrote. "Intriguingly, there was an absence of research work and comment from SIPR during the initial years of debate and discussion on the topic of police reform in Scotland and the concept of a national police service - which was a surprise to many."

However, it emerged last month the Institute was given funding to examine the effectiveness of the single force.

Professor Nick Fyfe, the director of SIPR, said: "SIPR is supported by investment from 12 collaborating universities and their support is based on SIPR fulfilling its strategic objective of conducting high quality independent research on policing. Although SIPR also receives some additional funding from Police Scotland and SPA, SIPR's governance arrangements - which include a board of governance comprising the principals of the 12 universities and HMICS and chaired by a senior academic - are there to protect its independent position. The presence of senior police on SIPR's committees and our engagement with police officers and staff across police organisations in the UK and internationally ensures SIPR's research is relevant, responsive and impactful."



Margaret and Stuart Graham have met the family of Sheku Bayoh

# Families unite to win truth over Sheku Bayoh death

EXCLUSIVE BY PETER SWINDON

**T**HE family of a young Fife man whose death was not properly investigated by police have backed a campaign for truth led by relatives of Sheku Bayoh, who died

in police custody in Kirkcaldy in May. Margaret and Stuart Graham, the mother and stepfather of Colin Marr, who was killed by a single stab wound to chest in 2007 after an argument with his fiancée Candice Bonar, fought a battle to have the case reopened after police decided it was death by suicide.

Bonar told detectives at the scene the 23-year-old had plunged the knife into his own sternum because she had ended their seven-year relationship over an alleged infidelity, which he denied.

Officers accepted her version of events, the case was closed and she later emigrated to Australia.

A subsequent Fatal Accident Inquiry was unable to determine who inflicted the fatal wound but a campaign for justice led to the Crown Office ordering a review in 2011 spearheaded by retired Strathclyde Police Detective Superintendent David Swindle, who ruled that Marr's death was "suspicious" and said it "should have been treated as such at the beginning".

Stuart and Margaret Graham are still seeking justice eight years after their son's death and have urged the authorities to ensure the family of Sheku Bayoh do not have to endure a similar ordeal. They met relatives of the 31-year-old Sierra Leonean father-of-two, who died after being restrained by officers responding to a call in Kirkcaldy, ahead of a march and rally to be held in the town today.

Margaret Graham said: "The similarities in the attitude, questions and behaviour with that of our family and supporters was striking. Even after what we both went through there was no anti-police agenda.

"It is critical to us that no other family should be dragged through this pain for as long as our family has had to endure."

She added: "We should all want the truth and nothing but the truth to be

the outcome of this tragic affair. Sheku's family need it, every police officer with integrity needs it and society as a whole needs it."

Bayoh's family is due to meet the outgoing Chief Constable of Police Scotland, Sir Stephen House, tomorrow.

The family's lawyer Aamer Anwar said: "While they understand that Mr House's hands are tied due to a live inquiry, they expect that the meeting will be a very robust and honest discussion about the serious concerns the family have had with regards to the actions of Police Scotland. It is an important step forward that the chief is willing and able to hear those concerns along with his most senior officers, even if he cannot at this stage comment publicly."

Bayoh's brother-in-law Ade Johnson welcomed the support of Colin Marr's family. He said: "Margaret and Stuart are going through so much as they fight for truth and justice, just like us. They are years ahead of us in the fight but by all victims' families coming together and fighting against injustice and unequal and unfair treatment by law enforcers, we shall put a stop to it sooner."

A spokeswoman for Police Scotland said: "Former Fife Constabulary acknowledged its failings following a complaint investigation and issued a formal apology to Mr and Mrs Graham.

"A subsequent complaint investigation concluded in March 2013. On this occasion, Police Scotland referred Mr and Mrs Graham's complaint to the Police Investigations & Review Commissioner (PIRC) to request an independent review.

"The Case Handling Review has been completed by PIRC. The recommendations contained within have been implemented by Police Scotland as part of an ongoing commitment to continually improving our service." The spokeswoman also confirmed an independent investigation into the circumstances of Sheku Bayoh's death is being carried out by PIRC and they have submitted an interim report to the Crown Office. "We await the conclusion of the investigation and Police Scotland remains committed to co-operating fully with the PIRC's inquiries."

12 06.09.15 News

# Revealed: the police watchdogs with close ties to the police

CONCERNS OVER BODIES' INDEPENDENCE SPECIAL REPORT BY PAUL HUTCHEON

**O**N Tuesday, First Minister Nicola Sturgeon responded to mounting concerns about Police Scotland by announcing a review into the governance of the service. The Scottish Police Authority is the oversight body for the single force, but a number of other publicly funded organisations exist either to scrutinise or research Police Scotland. The Sunday Herald has examined whether three bodies – the Police Investigations & Review Commissioner (PIRC), the Scottish Institute for Policing Research, and Her Majesty's Inspectorate of Constabulary in Scotland – are genuinely independent of the police.

## PIRC

**N**EARLY 75 per cent of the senior investigators on the quango tasked with probing complaints against police officers are ex-police, it can be revealed. The revelation has prompted concerns that the staff working for the Police Investigations & Review Commissioner are too closely tied to the service they are supposed to hold to account.

The PIRC was established in 2013 with an expanded remit to investigate alleged shortcomings in Police Scotland. Its role is to undertake investigations into the most serious incidents involving the police and to provide scrutiny of the way complaints from the public are handled.

The PIRC was tasked with investigating the death in custody of Fife man Sheku Bayoh and the separate tragedy of the police failing to respond to a call about a fatal car crash on the M9.

Lamara Bell, 25, lay injured for three days following the accident on the M9, and died in hospital four days after she was found. Her partner, 28-year-old John Yull, died in the crash, which was

reported to police but not followed up. According to the body's website, the PIRC is "an independent organisation not connected to the police".

However, statistics obtained by this newspaper show close ties between the PIRC and the police service. Of the 27 investigators responsible for dealing with PIRC cases, 15 used to be police officers. Of the 11 individuals in senior positions, eight are ex-police – around 73 per cent.

The two key individuals overseeing and investigating the Bayoh case are former senior officers with a link to the service spanning more than 50 years.

John Mitchell, the director of investigations, is a one-time detective chief superintendent and former head of CID at Strathclyde Police. John McSparran, a key member of the Bayoh case team, retired from Strathclyde Police in 2012 after 30 years service. The Home Affairs Select Committee at Westminster recommended in 2013 a maximum of 20 per cent of investigators at the Independent Police Complaints Commission – the PIRC equivalent for England and Wales – should be ex-police.

"If the Commission's primary statutory purpose is to increase public confidence, then it must act to rectify the impression that the police are investigating the police," MPs argued.

Aamer Anwar, who represents the Bayoh family, said: "If the PIRC is supposed to be independent from the police then why are most of its investigators former police officers? How can it remain impartial, when its investigators have spent so much time on one side of the 'thin blue line'? It is the public perception that counts here."

A spokesman for the PIRC said: "When the decision was made to set up the PIRC, it was important that an experienced team was put together to face the various challenges they may encounter. Staff were selected from a variety of backgrounds – including the police, fire service and military amongst others – for their skills in dealing with situations such as deaths in

custody, crime scene management and providing family liaison support.

"Since the inception of the PIRC, a trainee programme was established to recruit staff with no previous investigatory experience and provide them with the necessary skills."

## HMICS

**H**ALF of the lead inspectors in the watchdog set up to provide "independent scrutiny" of the single force are former police officers themselves.

The remit of Her Majesty's Inspectorate of Constabulary in Scotland (HMICS) is to investigate the "state, effectiveness and efficiency" of both Police Scotland and the Scottish Police Authority. It is funded entirely by ministers to the tune of around £1.1m and is based in the Scottish Government headquarters at St Andrew's House.

However, although HMICS is tasked with probing the police service, its staffing arrangements cast doubt on its genuine independence from the force.

The current Inspector of Constabulary, Derek Penman, became a police officer in 1984 before rising to become deputy chief constable and then temporary chief constable of Central Scotland police. In January 2013, he was appointed as an assistant chief constable of Police Scotland.

Andy Cowie, the assistant inspector, joined HMICS on secondment from the police service as an assistant chief constable and has around 25 years' policing experience. Three of the six lead inspectors listed on the watchdog website are also ex-police: Frank Gallop, an ex-superintendent with Northumbria Police; Brian Plastow, a former chief superintendent; and former Scottish Crime and Drug Enforcement Agency deputy director Stephen Whitelock.

HMICS has examined hot button is-

such as armed policing, stop and search, and staffing problems in control rooms, but Holyrood sources believe the reports tend to be heavy on civil service jargon. In August, it was revealed that HMICS had watered down a critical report into stop and search after a personal intervention by Chief Constable Stephen House. In the original draft, HMICS noted that non-statutory searches were not backed up by a "legal authority or protection".

However, in a letter to the watchdog, House claimed: "It would... be helpful and reflect a more balanced approach if any reference to consensual searching having no legal authority or protection was removed." HMICS took out the phrase and watered down the criticism.

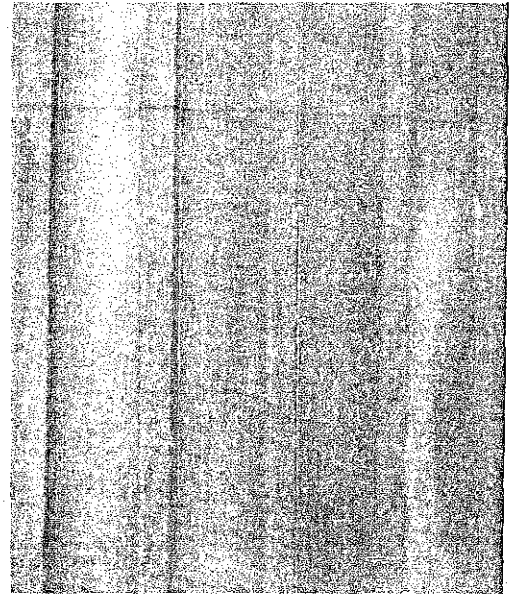
Weeks later, a review group headed by QC John Scott queried the legality of non-statutory searches, now to be banned by the Scottish Government.

John Finnie, the Scottish Greens' justice spokesperson and a former police officer, said: "The well-documented controversies which followed the advent of the single police service have shown the need for a robust inspection regime. Engaging suitable individuals to inspect from within the ranks of any organisation – and the police is no exception – can bring the benefits of the 'poacher turned gamekeeper' scenario.

"So long as there is sufficient practical police knowledge within the Inspectorate, there is no reason why for instance the lead person need be an ex-police officer or why there shouldn't be greater proportion of non-police members."

A spokesperson for HMICS said: "HMICS is confident in its independence. Its recent reports and findings, which are evidence led, have been tackling head on all the key issues in policing. HMICS has taken steps to strengthen its independence since the establishment of the single police force. Previously all HMICS lead inspectors were on secondment from legacy forces. But in light of the new policing landscape, it adopted a model where no lead inspectors are on

John Mitchell is one of the key individuals overseeing and investigating the Bayoh case







INJURIES Allison

# Tunisia widow's funeral pledge

A widow shot five times in the Tunisian beach massacre has delayed the funeral of her husband as she wants to be at his side when he is buried.

Brave Allison Heathcote spent three weeks in an induced coma after gunman Seifeddine Rezgui shot dead her husband, Philip.

For more than two months, the father-of-one's body has lain in a mortuary as Allison fought for life.

And now she has told relatives: 'I want to pay my final respects.'

Allison was shot five times in the attack on June 26. Three bullets punctured her bowel and the other two shattered her shoulder.

But she refused to allow Philip to be laid to rest until she could attend his funeral.

Allison has been moved by air ambulance from a unit in Birmingham's Queen Elizabeth Hospital to a hospital near her hometown of Felixstowe.

And her family have revealed they are hoping to lay Philip's body to rest this month after Allison staged an amazing recovery.

Paying tribute to her bravery, Allison's brother, Jonty Boon, 39, said: 'She's made a remarkable recovery and the doctors are pleased with how she's progressing.'

The couple - who got together when Allison was 18 - had celebrated their 30th wedding anniversary days before the massacre.

The attack on Sousse beach left 38 people dead, including 30 Brits.

# Man held on death

A man aged 53 has been arrested and was in custody last night after a woman was found dead at home.

Amelet Francis, 49, was pronounced dead at the scene after police and paramedics were called to a flat in Kerrycroft Street, Torvglen, Glasgow, on Friday afternoon.

Police confirmed a man was in custody. A report will go to the fiscal.

# 125 DAYS AFTER CUSTODY DEATH AT LAST. COP CHIEF MEETS SHEKU FAMILY

## Stephen House finally agrees to talks

By Craig McDonald

Sheku Bayoh's family will finally meet Scotland's chief constable tomorrow - four months after he died while being restrained by up to nine police officers.

Sheku died on May 3 and his death is being probed by Scotland's Police Investigations and Review Commissioner.

His family say their meeting with outgoing chief constable Sir Stephen House will be a chance for them to finally express their concerns.

Last month, we told how Sheku's family were furious to learn House had met officers being probed over Sheku's death before they had given statements to PIRC investigators. He even visited one in her home.

Hundreds of people will march through Sheku's home town of Kirkcaldy today to mark four months since his death.

The event starts at the Town House at 2pm and ends at Gallagher's pub, yards from Hayfield Road where Sheku was restrained by police.

His family met Commissioner Kate Frame on Thursday.

It followed our revelations last week that his family feared investigators may try to blame his death on the controversial condition excited delirium.

The family's solicitor Aamer Anwar said: 'The Bayoh family welcome the opportunity to meet with the Chief Constable.'

'His family hope for a positive outcome from this meeting.

'They expect it will be a robust and honest discussion about these serious concerns they have had with regards to the actions of Police Scotland.'

'It is an important step forward that the chief is willing to hear those



MEETING Stephen House



concerns along with his most senior officers.'

Police were called to reports of a man carrying a knife in the street around 7am on May 3.

Dad-of-two Sheku, 31, was restrained shortly afterwards. He was pronounced dead at the town's Victoria Hospital at 9.04am.

Police confirmed Sheku did not have a knife although one is said to have been found nearby.

He is said to have struck a female PC on the head before being restrained by officers using handcuffs, leg restraints, CS and PAVA spray and batons.

We told last week how

Sheku suffered injuries including a broken rib and a gash on his forehead.

APIRC spokesman said yesterday: 'The commissioner met the family to update them on the work done to date.'

'She listened to the family's concerns and restated her undertaking to conducting a thorough and independent investigation.'

'Central to this is providing the family with a clear understanding of what caused Sheku Bayoh's death, since the post mortem conducted shortly after was inconclusive.'

'The family have been offered the opportunity to participate in the process of identifying further expert forensic pathologists to provide an opinion on how Sheku died.'



QUEST FOR TRUTH Lawyer Aamer Anwar with Sheku's family and partner Collette Bell, far left, leave the meeting with PIRC last week, main. Sheku, top, and our story on his injuries last week, above

She met family to update them on work done and hear their concerns

# Labour Let Holyrood approve new watchdog boss

The appointment of the new head of a police watchdog overseeing Scotland's single force should be approved by politicians, Scottish Labour have claimed.

The Scottish Police Authority have been accused of failing to hold

Mark Atken Political Editor

Police Scotland to account. The force have been criticised over a string of controversies, including the deaths of Lamara Bell and John Yull, who lay in a crashed car for days.

Justice Secretary Michael Matheson announced on Thursday that ex-NSPCC head Andrew Flanagan would replace Vic Emery as SPA chairman.

Scottish Labour justice spokesman Graeme Pearson said: 'A parliamentary

vote would demonstrate the independence of the convener of government.'

A spokesman for Michael Matheson said the process is set out in the Police and Fire (Scotland) Act, legislation "which was supported by Labour"



CHAIR Flanagan