

**ABERDEEN CITY COUNCIL**

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<b>COMMITTEE</b>	Public Protection
<b>DATE</b>	21/05/2021
<b>EXEMPT</b>	No
<b>REPORT TITLE</b>	Death Investigations
<b>REPORT NUMBER</b>	POL/21/142
<b>DIRECTOR</b>	
<b>CHIEF OFFICER</b>	
<b>REPORT AUTHOR</b>	Superintendent Richard Craig, North East Division, Police Scotland
<b>TERMS OF REFERENCE</b>	5.7

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**1. PURPOSE OF REPORT**

- 1.1 To provide information to the Committee regarding Investigation of Death within North East Division, including categories of death with specifics around offshore incidents and deaths involving children, use of technology by Officers first at scene and our mechanisms to support the welfare of Police Officers and Staff.

**2. RECOMMENDATION(S)**

- 2.1 The Committee discuss, comment on and endorse the report.

**3. BACKGROUND**

- 3.1 Police Scotland adopt a three stage process to ensure every death receives an appropriate response and assessment. These stages include the preservation of life unless death is indisputable, initial assessment of the body, scene and circumstances and an appropriate response based on the category of death. Whilst Police will obtain the opinion of Health Care Professionals, ultimately the Police have responsibility for determining the category of death.

**Categories of Death**

- 3.2 There are three broad categories of death:
- **Medical deaths:** where a death is expected or attributable to natural causes. Police Scotland would likely have minimal involvement in such deaths;

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- **Unexplained Medical deaths:** where a death is sudden but non suspicious, however, a degree of medical uncertainty exists. Such incidents are general reported by Healthcare Professionals to the Scottish Fatalities Investigation Unit (SFIU) of the Crown Office and Procurator Fiscal Service (COPFS) and only upon instruction from the Fiscal Service would the submission of a Police report be required;
- **Police Reportable deaths:** which encompasses several sub categories including suspicious, drug related, suicide, accidental or deaths involving neglect or fault. Police Scotland has responsibility to investigate and report all such deaths to the Crown Office and Procurator Fiscal Service.

### Investigation

- 3.3 The overarching priority of any potential death is to preserve life unless a competent healthcare professional is in attendance and/or the death is obvious. Where death has occurred, Officers will deal with any family or friends with respect, dignity and compassion.
- 3.4 Initial assessment of the body, scene and circumstances along with any risks present is carried out by Officers first at scene. Where a Police reportable death is deemed to have occurred, Police Scotland assume responsibility and the death will fall to the supervision of an Inspector who will attend the scene.
- 3.5 In this early phase, the priorities will include scene preservation and counter contamination, viewing of the deceased for any injuries, securing any evidence including witnesses and identification of the deceased. An investigation of the death will thereafter commence.
- 3.6 In North East Division, a dedicated team of four Officers, overseen by an Inspector, deal with and report all non suspicious sudden death enquiries. The Divisional Administration Support Unit (DASU) work closely with the Scottish Fatalities Investigation Unit of COPFS and have an excellent relationship with Pathologists and Technicians based at the Public Mortuary in Aberdeen. This model ensures consistency and improved communication with bereaved families.
- 3.7 In relation to the remainder of Police reportable deaths, including those where criminal prosecution may take place, for example drug related or work place incidents, Officers from Criminal Investigation Department will be contacted and a Senior Investigating Officer (SIO) of at least Detective Inspector rank, appointed. In the event of a suspicious death or apparent homicide, Officers from Police Scotland's Major Investigation Teams (MIT) will assume ownership of the enquiry.
- 3.8 During the 3 year period 2018 – 2020 inclusive, North East Division averaged 476 Police reportable deaths per year. This figure does not include Police involvement with medical deaths which, although do not require a report, do necessitate liaison with the NHS to bring to a satisfactory conclusion.

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- 3.9 Where applicable, and in consultation with COPFS, Police Scotland can request the assistance of various professionals including Forensic Pathologists, Biologists, Chemists and Health and Safety Officials.
- 3.10 Only when appropriate and in line with any forensic considerations of the scene, will a deceased be removed from a scene and transported to the Public Mortuary.
- 3.11 The care and welfare of next of kin is always at the forefront of considerations, particularly where a death has been sudden and unexpected. Where there is a Police investigation into a death, Officers will communicate effectively and inclusively with the bereaved family. In appropriate circumstances, this can be achieved with the deployment of a Family Liaison Officer.

### **Technological Advances**

- 3.12 Frontline Officers within North East Division are now routinely issued electronic handheld devices which have now replaced the traditional paper notebook. In respect of death investigations these devices provide remote access to a number of databases allowing Officers to carry out research at the scene of a death for information which may be relevant.
- 3.13 Most recently the handheld device, which is fitted with a camera, can also be utilised to take initial photographs from the scene of a death at the request of a Senior Investigating Officer allowing scene assessment at the earliest opportunity.
- 3.14 Any statements noted on the device, from witnesses at the scene of the death, are immediately accessible to other Officers such as Detectives located remotely. This allows a far quicker sharing of information from the scene to allow investigating Officers a quicker understanding of the circumstances and to influence any investigative strategy.
- 3.15 Body Worn Cameras are also routinely issued to Officers within the North East and is well embedded in day to day policing. The ability to activate cameras immediately upon arrival at the scene of a potential death is an invaluable tool both with regards to briefing and for use at potential future proceedings. It should be stressed that activating these cameras is not required nor appropriate at the scene of the majority of deaths. Only where circumstances give cause for concern or clearly indicative of suspicion would their use be encouraged

### **Offshore Death Investigation**

- 3.16 Police Scotland has overall responsibility for policing all oil and gas and renewable installations, whether fixed or floating, within Scottish territorial waters (12 nautical miles from the coast).
- 3.17 Further to this, North East Division has jurisdictional responsibility for all offshore installations located beyond these territorial limits in the exclusive economic zone, an area which extends to the borders with Ireland,

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The Faroes and Norway. North East Division maintains excellent links with partners such as the Maritime Coastguard Agency, Oil Installation and Vessel Operators and Offshore Emergency Response providers.

- 3.18 Between 2014 and 2020, North East Division investigated 28 offshore deaths. There have been no deaths during 2020/21, largely attributable to the pandemic which has limited offshore travel.
- 3.19 Upon a death occurring on an offshore installation or vessel, the operating company will set up an Emergency Response Room. North East Division will deploy one of about 15 specially trained Incident Liaison Officers (ILO) to this Emergency Response Room. This deployment provides a crucial communication link between Police Scotland and the operating company when responding to the offshore incident. The ILO will ensure appropriate actions are taken by offshore industry partners and liaise with necessary representatives.
- 3.20 North East Division maintains a group of Officers and staff who are appropriately trained and equipped to travel offshore to investigate incidents. Typically up to four of these staff will travel offshore on a flight arranged by the offshore operating company. The ILO will work with the company to assist with logistical arrangements.
- 3.21 The Officers deployed offshore will work extremely closely with the Offshore Installation Manager or Vessel Master in order to fully inspect and photograph the scene, gather appropriate evidence and note statements from relevant persons. Arrangements will be made to return deceased to shore and North East Division will retain ownership of enquiries.
- 3.22 North East Division has a commitment to regularly deploy ILO's to a large number of training exercises each year to assist partners in training for offshore emergency response particularly those involving sudden deaths. North East Division will further deploy ILO's to Aberdeen based Emergency Response Rooms to assist partner agencies and Police Forces who are responding to a death or major incident in their respective territorial waters.

### **Child Death Investigation**

- 3.23 Sudden Unexpected Death in Infancy (SUDI), previously referred to as 'cot death' and its causes are still largely unexplained. In 2020, there were 11 such deaths recorded at the Public Mortuary in Aberdeen City which incorporates Grampian Highlands and Islands. To date, in 2021 there have been 2 such deaths.
- 3.24 Rather than the term 'SUDI', Police Scotland now refers to an "unexpected Death of a Child" as the death of an infant or child (less than 16 years old) which is:
- Not anticipated as a significant possibility, for example without being prescriptive, 24 hours before death; or

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- Where there was a similarly unexpected collapse or incident leading to or precipitating the events which led to death.
- 3.25 Police Scotland have a duty to investigate the unexpected Death of a Child under Article 2 of the Human Rights Act 1988, which states everyone's life shall be protected by law. This Article requires public authorities to establish the cause of death.
- 3.26 The Police investigate every unexpected or clinically unexplained death under the instruction of the Procurator Fiscal, this includes the unexpected Death of a Child (as defined above). Rarely there may be concern the death is not of natural causes and it is the role of the Police to identify such occasions and to assist key professionals in establishing the cause of death.
- 3.27 When a report of an unexpected Death of a Child is received, Police Scotland will immediately identify a Child Death Senior Investigating Officer (SIO) who has responsibility for the strategic oversight and governance of the enquiry. The SIO will be of the rank of Detective Inspector or above and will have undertaken specialised training with regards to the investigation of Child Deaths.
- 3.28 Child Death investigations are complex and extremely sensitive in nature. While the principles of death investigation apply in a Child Death incident, the need to balance a thorough investigation with the grief of parents is extremely challenging.
- 3.29 The primary aim of a Police investigation is to exclude covert child homicide and other child abuse/neglect offences. In the majority of unexpected Child Deaths which occur out with health premises, the child will be taken to the Emergency Department for resuscitation. This attendance at hospital also allows for Paediatric assessment of the circumstances (including to seek to identify covert homicide) and for provision of Bereavement Services and support.
- 3.30 The concept of partnership working is fully realised when investigating the unexpected Death of a Child. Police Scotland work closely with Local Authority Social Work and the NHS to ensure consideration of both the circumstances as they present and any relevant background information.

### **Staff Welfare**

- 3.31 It is widely recognised that exposure to death investigations in the Police Service can have a significant impact on physical and mental health and as such the wellbeing of Police Officers and Staff is absolutely paramount.
- 3.32 Post traumatic support for all Officers and Staff is paramount to prevent long term ill health. There are several processes and organisations in place to support Police Officers and staff.

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- 3.33 Trauma Risk Management Model (TRiM) is the model used to provide support for all Officers and Staff who are directly involved in or exposed to potentially traumatic incidents. It is a voluntary and confidential process and can be referred by line management or self-referred.
- 3.34 A TRiM intervention can include a one to one or group risk assessment where an assessor will work with the individual or group to identify the best support that can be provided. An assessment is usually carried out between 4-14 days after the incident with follow up assessment after 28 days.
- 3.35 The Employee Assistance Programme (EAP) provides Officers, staff and household family members (over the age of 16) with access to a confidential support service. They can provide practical information and advice on a variety of issues. Counselling support is available to aid with anxiety, stress, trauma or bereavement related issues.
- 3.36 The investigation of death is one of the most challenging aspects of policing. Within North East Division, our tailored approach to the reporting of deaths by dedicated teams and our proficiency with offshore incidents ensures a consistent and competent outcome. It is assessed this model of working provides an improved service to those bereaved individuals who are coming to terms with the loss of a loved one.

**4. FINANCIAL IMPLICATIONS**

- 4.1 There are no direct financial implications arising from the recommendations of this report.

**5. LEGAL IMPLICATIONS**

- 5.1 There are no direct legal implications arising from the recommendations of this report.

**6. MANAGEMENT OF RISK**

	<b>Risk</b>	<b>Low (L) Medium (M) High (H)</b>	<b>Mitigation</b>
<b>Financial</b>	N/A		
<b>Legal</b>	N/A		
<b>Employee</b>	N/A		
<b>Customer</b>	N/A		
<b>Environment</b>	N/A		
<b>Technology</b>	N/A		

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Reputational	N/A		
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**7. OUTCOMES**

<b>Local Outcome Improvement Plan Themes</b>	
	<b>Impact of Report</b>
<b>Prosperous People</b>	Police Scotland are key partners within Community Planning Aberdeen and help contribute to the shared vision for 2026 that 'Aberdeen is a place where all people can prosper' and towards the achievement of the LOIP theme which aims to make people more resilient and protect them from harm; where every child, irrespective of their circumstances, is supported to grow, develop and reach their full potential; and where all people in Aberdeen are entitled to live within our community in a manner in which they feel safe and protected from harm, supported when necessary and fully included in the life of the City.
<b>Prosperous Place</b>	Police Scotland are key partners within Community Planning Aberdeen and help contribute to the shared vision for 2026 that 'Aberdeen is a place where all people can prosper' and towards the achievement of the LOIP theme which aims to support individuals and communities to live in healthy, sustainable ways; and the development of sustainable communities with strong and resilient communities.

<b>Design Principles of Target Operating Model</b>	
	<b>Impact of Report</b>
<b>Governance</b>	The Council has an oversight role of the North East Division of Police Scotland in terms of its performance and delivery of the Local Police Plan.
<b>Partnerships and Alliances</b>	The Council and Police Scotland are Community Planning Aberdeen partners with a shared commitment to deliver the LOIP.

**8. IMPACT ASSESSMENTS**

<b>Assessment</b>	<b>Outcome</b>
<b>Equality &amp; Human Rights Impact Assessment</b>	Not required.
<b>Data Protection Impact Assessment</b>	Not required.
<b>Duty of Due Regard/Fairer Scotland Duty</b>	Not applicable.

**9. BACKGROUND PAPERS**

N/A

**10. APPENDICES (if applicable)**

N/A

**11. REPORT AUTHOR CONTACT DETAILS**

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North East Division  
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