

Criminal Justice Committee
Wednesday 4 March 2026
9th Meeting, 2026 (Session 6)

Evidence Sessions with oversight and scrutiny Bodies (HM Chief Inspector of the Scottish Fire and Rescue Service (HMFSI); and the Police Investigations and Review Commissioner (PIRC))

Note by the Clerk

Introduction

1. As part of its agreed work programme for 2026, the Committee agreed to take evidence from a number of independent oversight and scrutiny bodies operating within the justice portfolio.
2. The Committee has previously undertaken scrutiny of operational justice agencies, including Police Scotland and the Scottish Fire and Rescue Service (SFRS). Members agreed that it would also be appropriate to take evidence directly from the independent bodies responsible for inspection, investigation and assurance in order to consider:
 - how effectively these organisations are discharging their statutory functions;
 - the implementation of recommendations made to operational bodies;
 - emerging risks within the justice system;
 - the impact of budget allocations and Spending Review settlements on their ability to fulfil their roles; and
 - their views on the main issues within their remit that will be ongoing in session 7 of the Parliament.

This evidence session

3. This session therefore provides an opportunity to examine both the current work programmes and performance of:
 - **Robert Scott, Chief Inspector**, HM Chief Inspector of the Scottish Fire and Rescue Service (HMFSI)
 - **Laura Paton, Commissioner** and **Phil Chapman, PIRC Director of Operations**, The Police Investigations and Review Commissioner (PIRC),

4. An additional written submission was provided by HM Chief Inspector of the Scottish Fire and Rescue Service (HMFSI) in support of today's session. This is included in **Annexe A**.
5. The Police Investigations and Review Commissioner wrote to the Convener in December 2025 enclosing the PIRC Annual Report 2024-25. That correspondence is included at **Annexe B**.

Panel 1: HM Chief Inspector of the Scottish Fire and Rescue Service

Background

6. His Majesty's Fire Service Inspectorate in Scotland (HMFSI) provides independent assurance to Scottish Ministers and the public that the Scottish Fire and Rescue Service (SFRS) is performing its statutory duties efficiently, effectively and in line with Best Value principles.
7. HMFSI undertakes:
 - Service Delivery Area (SDA) inspections (East, West and North);
 - Thematic inspections examining service-wide issues; and
 - Focused inspections in response to specific incidents or at the direction of Ministers
8. Recent SDA inspections have resulted in a substantial number of recommendations, including 29 in the West Service Delivery Area and 39 in the North Service Delivery Area.
9. Ongoing and planned inspections for 2026 include:
 - Operational Training and Development;
 - SFRS preparedness for the 2026 Commonwealth Games; and
 - Organisational Culture (Volume 2), examining behaviour, grievance processes, conduct and discipline

Matters Members May Wish to Explore

10. Strategic Oversight and Improvement:
 - How does HMFSI assess whether recommendations from SDA inspections are fully implemented and embedded?

- Are there recurring themes across inspection areas suggesting systemic issues?
- What mechanisms are in place to follow up on recommendations over time?

11. Organisational Culture:

- What were the principal findings of Volume 1 of the Organisational Culture inspection?
- What evidence is there of improvement since publication?
- What risks or concerns are being examined in Volume 2?
- Does the Inspectorate consider grievance and conduct processes within SFRS to be effective and trusted?

12. Operational Resilience and Preparedness:

- How confident is the Chief Inspector in SFRS preparedness for the 2026 Commonwealth Games?
- Has climate change materially altered operational risk planning?
- Are there capability gaps in training or equipment identified through inspection activity?

13. Workforce and Training:

- Are recruitment and retention pressures affecting service delivery?
- Does the Operational Training and Development inspection suggest reforms are required?
- What impact, if any, is workforce morale having on operational performance?

14. Governance and Resources:

- Does HMFSI have sufficient staffing and financial resources to discharge its statutory functions?
- Is scrutiny by the SFRS Board of inspection findings sufficiently robust?

- Are there any areas where limited resources constrain the Inspectorate's work?

Police Investigations and Review Commissioner

15. The Police Investigations and Review Commissioner (PIRC) provides independent oversight of police complaints handling and undertakes independent investigations into serious incidents involving the police.
16. In December 2025, the Commissioner wrote to the Convener enclosing the PIRC Annual Report 2024-25. The report outlines investigative activity, performance, demand trends and organisational capacity.
17. The Committee has previously considered budget pressures affecting police bodies as part of its pre-budget scrutiny of the 2026/27 Budget.

Matters Members May Wish to Explore

18. Caseload and Demand:

- What trends are emerging in the volume and complexity of investigations?
- Are certain categories of case increasing in frequency or complexity?
- How does current demand compare to previous reporting periods?

19. Timeliness and Performance:

- What are current average investigation times?
- Are statutory timescales consistently being met?
- What are the principal causes of delay?
- Is there a backlog of cases, and if so, what is the plan to address it?

20. Workforce and Capacity:

- Does PIRC have sufficient investigative and specialist capacity?
- Are recruitment and retention pressures affecting performance?
- Has investigative complexity increased resource requirements?

21. Independence and Public Confidence:

- How does PIRC safeguard operational independence when working alongside Police Scotland?
- Are current governance arrangements sufficient to maintain public confidence?
- Are there structural reforms the Commissioner believes would strengthen oversight?

22. Budget and Sustainability:

- Does the 2026/27 allocation allow PIRC to meet its statutory obligations?
- What financial risks arise over the Spending Review period?
- What would be the operational impact of further resource constraint?

23. Legislative Framework:

- Are further legislative changes required to strengthen the Commissioner's powers?
- Is PIRC adequately resourced to implement any forthcoming reforms?

Action

24. Members are invited to note the background information provided and use the suggested prompts above to inform questioning during the evidence session.

**Clerks to the Committee
March 2026**

Annexe A: HM Chief Inspector of the Scottish Fire and Rescue Service Submission to the Criminal Justice Committee

Criminal Justice Committee Briefing Paper

Submitted by: Robert Scott QFSM,
HM Chief Inspector of the Scottish Fire and Rescue Service
4 March 2026

Background

His Majesty's Fire Service Inspectorate (HMFSI) in Scotland was established in 1948 in response to the Fire Services Act 1947. Although the legislation has since been updated through subsequent Acts, the central purpose and function of the Inspectorate has remained consistent.

The role of the Inspectorate, as detailed in the Fire (Scotland) Act 2005, is to provide assurance to Scottish Ministers and the people of Scotland that the Scottish Fire and Rescue Service (SFRS) is performing its statutory duties efficiently, effectively and in line with Best Value principles. The Inspectorate also provides advice to Ministers when requested and undertakes proportionate, risk-based inspections of the SFRS.

HM Chief Inspector of the Scottish Fire and Rescue Service (the Chief Inspector) is appointed by Order in Council and holds a Royal Warrant, ensuring independence from both the Scottish Government and the SFRS. The current Chief Inspector is Robert Scott QFSM, who joined the fire service in 1989 and served in a range of operational and leadership roles, including Assistant Chief Officer of the SFRS, prior to retirement in 2017. He was part of the team that oversaw the creation of the new SFRS in 2013.

Inspection Approach

Service Delivery Inspections

To ensure the SFRS is delivering services effectively across Scotland, HMFSI undertakes a structured programme of Service Delivery Area (SDA) inspections. The SFRS operates across three SDAs—East, West and North—each led by a Head of Service Delivery. Local Senior Officers (LSOs), operating under each Head of Service Delivery, manage operational fire stations and participate in statutory community planning activities.

SDA inspections examine the systems supporting local engagement and assess whether local authorities and relevant partners are satisfied with the Service's performance. They also evaluate performance across four key themes:

- Prevention and Protection
- Response
- People
- Partnerships

The SDA inspection programme identifies areas of good practice as well as opportunities for improvement across Scotland. The approach, initiated in 2022, now provides a full comparative assessment of national performance. The process has also been helpful in identifying areas that may warrant more detailed 'thematic' or 'focused' inspection.

Thematic Inspections

In addition to SDA inspections, the Chief Inspector directs an annual programme of thematic inspections examining service-wide issues. These inspections explore how effectively the organisation manages specific themes and the resulting reports are laid before the Scottish Parliament. Examples of completed inspections can be found in appendix A.

Focused Inspections

HMFSI also undertakes focused inspections in response to specific incidents, emerging issues or at the direction of Scottish Ministers. These inspections provide assurance regarding efficiency, effectiveness and Best Value in areas requiring urgent or specialised scrutiny.

Ongoing and Planned Inspection Programme – 2026/27

The following inspections are ongoing or scheduled for completion in 2026:

- Operational Training and Development – Final report scheduled for June 2026.
- SFRS Preparedness for the 2026 Commonwealth Games.
- Organisational Culture, Volume 2 – Examining behaviour, grievance processes, conduct and discipline.

SFRS Arrangements for Considering HMFSI Reports

The SFRS is legally required to provide HMFSI with assistance and cooperation for inspection activity and to have regard to HMFSI reports. The Service prepares action plans in response to each report, which are reviewed by either the Audit and Risk Assurance Committee or the Service Delivery Committee of the SFRS Board.

The Chief Inspector participates in these committee discussions, providing oversight and assurance that appropriate action is being taken. While maintaining professional independence, HMFSI engages constructively with the SFRS, representative bodies and Scottish Government officials to ensure relevant, informed and effective inspection activity. This inclusive approach provides the opportunity for the Chief Inspector to monitor issues identified through inspection from initial recommendation, through action planning and delivery, to improvement in service. Through this process HMFSI can actively monitor progress, ask questions, raise relevant concerns, and evaluate steps taken toward goals.

HMFSI Inspection Reports Published from 2021 – 2025

Service Delivery Inspection Reports

| Title | Date of Publication | Recommendations/ Areas for Consideration | |
|--|---------------------|---|---|
| Inspection of the SFRS: East Service Delivery Area | 19 Oct 2023 | 8 | Inspection of the Scottish Fire and Rescue Service : East Service Delivery Area |
| Inspection of the SFRS: West Service Delivery Area | 5 Jul 2024 | 29 | Inspection of the Scottish Fire and Rescue Service West Service Delivery Area |
| Inspection of the SFRS: North Service Delivery Area | 25 Jun 2025 | 39 | Inspection of the Scottish Fire and Rescue Service North SDA |

Thematic Inspection reports

| Title | Date of Publication | | Recommendations / Areas for Consideration |
|---|---------------------|--|--|
| Local area inspection – Midlothian | 12 May 2021 | | 5 |
| Local area inspection – Argyll and Bute | 24 Dec 2021 | | 6 |
| Local area inspection – Angus | 25 Mar 2022 | | 2 |
| Management of health and safety: an operational focus | 26 Apr 2022 | | 33 |
| High rise buildings – firefighting arrangements | 27 Sep 2022 | | 8 |
| Climate Change: managing the operational impact on fires and other weather-related emergencies | 25 Sep 2023 | | 8 |
| Mental Health and Wellbeing Support in the SFRS | 13 Dec 2023 | | 20 |
| Organisational Culture in the SFRS (Volume 1) | 18 Jun 2025 | | 25 |
| Inspection of Operational Assurance in the SFRS | 10 Sep 2025 | | 26 |

Annex B: Letter to the Convenor from the Police Investigations and Review Commissioner (December 2025)

8 December 2025

Dear Convener

Police Investigations & Review Commissioner (PIRC) Annual Report 2024-25

PIRC has published its Annual Report and Accounts covering the period 2024-25.

In January 2025, you invited my predecessor to give evidence to the Criminal Justice Committee regarding PIRC's Annual Report 2023-24. Since then, there have been significant changes in PIRC's operating environment. Some of these changes are outlined in our Annual Report 2024-25 and particularly in the Commissioner's Foreword, however some have arisen more recently.

I would welcome an opportunity to meet with Committee members to discuss those changes as well as our current challenges and the steps we are taking to address them. Our aim is to ensure PIRC provides an effective and efficient service to the public and those who refer incidents to us for investigation, including policing bodies and the Crown Office and Procurator Fiscal Service (COPFS).

As you know, PIRC's work is currently focused in two key areas: investigations and complaint handling reviews.

Investigations

Over 95% of PIRC's investigative work is directed by COPFS and is non-discretionary. This includes investigations into deaths in custody, deaths following police contact, and criminal allegations against the police. PIRC aims to carry out thorough and timely investigations. Cases are categorised as either A+, A, B or C depending on the nature of the investigation, its sensitivity, complexity and priority.

As our Annual Report 2024-25 shows, PIRC has performed well in recent years, demonstrating continuous improvement in the service provided to referring agencies, next of kin and complainers. In 2024-25, we reported 100% of Category A cases and 98% of Category B and C cases to referring agencies within target timescales.

In the last year, however, PIRC has experienced a significant increase in demand, driven by:

- (1) Changes to the law of evidence arising from the Lord Advocate's References No. 2 and No. 3 of 2023. From 1 January 2025, PIRC applied the change when assessing whether referrals should proceed to investigation. This resulted in a 239% increase in the number of investigations commenced between January and March 2025, compared to the same period in 2024. Previously, around 29% of referrals proceeded to full investigation. Currently, the proportion is around 70%.

- (2) An increase in the number of Crown-directed death investigations to PIRC. Between April and November 2025, the number had increased 150% compared to the average for the same period in the previous two years. Several of the cases referred this year relate to non-recent deaths, making both the enquiries themselves and the accompanying family liaison more challenging.

Complaint Handling Reviews (CHRs)

Police Scotland is dealing with a significant backlog of complaints. The latest data shared with the SPA Complaints and Conduct Committee in November 2025 shows a backlog of over 1,600 unresolved complaints, including two Category A+ and 387 Category A cases that have not yet been allocated. Additional funding has allowed Police Scotland to recruit 25 new temporary complaint handlers. This uplift should assist the police to conclude a higher number of complaints over the next two years.

As Police Scotland addresses its backlog, we project a 250% increase in applications for CHRs from members of the public who are dissatisfied with the response from the police.

Last year, PIRC had already experienced a 40% increase in enquiries from members of the public. These enquiries often related to complaints already made to Police Scotland but which had not yet been concluded. In the first six months of 2025-26, PIRC has so far experienced a 49% increase in applications for CHRs.

There has also been a notable increase in the proportion of eligible complainers applying to PIRC for a CHR – up from 14% of eligible complainers in 2020-21 to 36% in 2024-25.

Implications

These actual and anticipated increases in demand are set against a broader context in which PIRC is also preparing for the ongoing implementation of the Police (Ethics, Conduct and Scrutiny) (Scotland) Act 2025. Additional pressures will arise from PIRC's role being expanded even further, an expansion for which no funding has yet been confirmed.

The increase in investigative work is beyond our capacity. PIRC is currently managing 197 investigations, of which 34 relate to deaths. We are concerned that the timeliness of the service we provide is at risk – we forecast that compliance with our target timescales for investigations will drop to around 40% and may continue to decline. We do not consider this to be an acceptable level of service to next of kin, complainers or referring agencies.

While the increase in demand is outwith our control, we have been exploring ways to manage it, including through streamlining and modernising processes, embedding efficiencies and directing resources to greatest need. Further steps that may require to be taken include increasing the use of the Commissioner's discretion not to investigate cases referred by policing bodies, and extending the timescales within which we seek to conclude investigations.

CJ/S6/26/9/8

We are carrying out a Strategic Review to help us assess how we fulfil our duties in this new operating context and provide an effective service while also safeguarding the wellbeing of staff.

We would welcome an opportunity to meet with the Committee to discuss our work. Should the Committee's schedule for the remainder of the parliamentary session not permit such a meeting, we would be pleased to meet with the Convener or any other members who may wish to further explore the issues outlined above.

Yours sincerely

Laura Paton
Police Investigations & Review Commissioner