

SCOTTISH POLICE
AUTHORITY

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| Meeting | SPA Board Public Session |
| Date and Time | Tuesday 31 March 2015, 14.30 hrs |
| Location | Wellshot Halls, Tollcross International Swimming Centre, 350 Wellshot Road, Glasgow, G32 7QR |
| Title of Paper | Police Scotland Armed Policing Update |
| Item Number | 7 |
| Presented By | ACC Higgins, Operational Support |
| Recommendation to Members | For Noting |

PURPOSE

The purpose of this paper is to;

1 Update Members of the Scottish Police Authority (SPA) on the work that has been undertaken within Police Scotland following the issues raised in relation to the Firearms Standing Authority and following the publication of the HMICS review and the SPA Inquiry.

2 In line with HMICIS recommendation 4 (HMICS Review of Standing Firearms Authority for Armed Response Vehicle Crews within Police Scotland – October 2014) engage with the SPA and relevant stakeholders in relation to the review into the modes of carriage for firearms and ensure that any changes which are likely to have an impact on public confidence are effectively communicated to local authorities and communities across Scotland.

3 In line with HMICS recommendation 7 (as above), re-engage with local authorities and other stakeholders and develop criteria for any future deployment of ARV officers to undertake non-firearms duties which are understood and accepted by local communities and allow ARV officers to meaningfully contribute to local policing priorities.

1. BACKGROUND

1.1 On 1 April 2013 a Firearms Standing Authority (FSA) was approved and implemented for Authorised Firearms Officers (AFO's) attached to Armed Response Vehicles (ARV), allowing them to overtly carry a side arm & Conducted Energy Device (Taser). At that time these officers deployed to firearms incidents and in support of Local Policing which assisted in keeping the communities of Scotland safe.

1.2 Police Scotland deploys ARV officers whereby they overtly carry Glock SLP in duty holsters worn on a utility belt or leg holster and Taser in a duty holster worn on the belt, or in some areas worn attached to part of their body armour covers.

- 1.3 Members will recall that the College of Policing Authorised Professional Practice (APP) - Armed Policing outlines that Chief Officers may provide a standing authority for the issue of firearms to officers engaged on specific duties where a threat and risk assessment deems this appropriate.
- 1.4 Police Scotland determined that having considered legacy Force Strategic Threat and Risk Assessments (STRA), the Scottish Regional Firearms STRA and the Police Scotland Armed Policing STRA, that a Firearms Standing Authority was necessary, appropriate and proportionate to the Policing environment within Scotland.
- 1.5 Members will recall the Firearms Standing Authority is reviewed every quarter by Police Scotland at the Armed Policing Monitoring Group (APMG) chaired by ACC Bernard Higgins. The group's recommendation is then forwarded to the Chief Constable Sir Stephen House for his consideration and should he see fit, endorsement.
- 1.6 From May 2014, concerns were expressed around the Firearms Standing Authority and more specifically the overt carriage of weapons and deployment model for officers within the ARV's.
- 1.7 On 16 September 2014 at the APMG, ACC Bernard Higgins tasked Chief Superintendent Elaine Ferguson, Specialist Services with carrying out a review of the mode of carriage of weapons and the deployment model for ARV's.
- 1.8 The Armed Policing Deployment Model Working Group (APDMWG) was convened under the chair of Chief Superintendent Elaine Ferguson and the Terms of Reference (ToR) to discharge this task were agreed.
- 1.9 On 1 October 2014, Police Scotland amended the patrol deployment for ARV's to reflect that they would now attend Firearms and Threat to Life incidents and to use professional judgement around those matters that occur in front of them during their normal patrol. This position was reiterated by the Chief Constable Sir Stephen House at the SPA Board Meeting held on 30 October 2014.
- 1.10 In October 2014 HMICS reported its key findings into its review of the Firearms Standing Authority for Armed Response Vehicle Crews within Police Scotland. Within this document the HMICS reported that:

'In determining the need for the standing authority for ARV crews, Police Scotland has fully complied with all relevant United Kingdom armed policing guidance. The operational need for the standing authority as approved by the Chief Constable is justified by the composite assessment of the national threat, risk and intelligence'

'The overt carriage of the side arm and Taser by ARV officers operating under a standing authority is the best and safest method of carriage and we endorse the decision of the Chief Constable on the grounds of

operational effectiveness. More broadly, we consider that overt carriage for ARV duties promotes openness and transparency with the public'.

- 1.11 As members are aware, the Scottish Police Authority also carried out a similar enquiry into this issue and reported in January 2015. The SPA Scrutiny Enquiry Group report entitled 'Enquiry into the public impact of Police Scotland's Firearms Standing Authority' recommended that:

'Police Scotland should undertake prior engagement with the SPA, local authorities and communities prior to making any further change in the deployment model or policy in respect of the Firearms Standing Authority'.

- 1.12 Members of SPA will recall that previous discussion on Annexes A-E have been discussed within private sessions with particular reference to the carriage of weapons and the ARV Deployment Model.

2 Current Position

- 2.1 The SPA Inquiry into the public impact of Police Scotland's Firearms Standing Authority made a number of Recommendations. Police Scotland continues to work together with the SPA and many of these issues have already been responded to. Some may only be discussed in private with the SPA for reasons of security, however, Police Scotland can report the following progress:

Recommendation 4 & 8: Advance Engagement with SPA

The Joint Agreement on Engagement was approved by the Scottish Police Authority on 24 February 2015, the principle purpose of which was to cover such issues. This type of advance engagement has already commenced in relation to other areas of Police Scotland activities, where Members of the Board of the SPA, as well as Executive Officers, Local Authorities and representatives of key stakeholder groups have been engaged with at an early juncture during the process relating to proposed change(s) and is already addressing the areas relating to early engagement, consultation and decisions.

Recommendation 5: Community (CIA)/ Equality Impact Assessment (EIA)

All Police Scotland policies are subject to EIA's under a Standard Operating Procedure. As regards subjecting such policies to CIA, this is a tool that seeks to assess perceived or actual risk to community safety, and to identify appropriate police tactics to prevent/reduce disorder, mitigate community tensions and reduce fear of crime/disorder, typically in response to critical incidents. As such a CIA is an operational tool that does not readily lend itself to a stakeholder consultation and engagement for policy or change proposals.

Such a process, reflecting CIA principles has been established via Police Scotland's Communications & Engagement Strategy (CES). It contains an explicit commitment to engagement to identify, understand and respond to the needs and concerns of communities. The CES's approach to engagement seeks to ensure that community views and expectations can inform and influence the policing service that is delivered and the future direction of policing. As regards impact on groups with protected characteristics, Police Scotland's CES commits to working to identify seldom heard or hard-to-reach groups, especially those of a minority or vulnerable nature, identifying and addressing the barriers that limit their access to policing or community involvement, so that they can be informed, consulted and engaged with. Objective 3, Task 2, in the CES is to 'develop a toolkit for officers and staff that supports effective and timely engagement'.

Recommendation 6: Openness and Transparency in Decision Making

Police Scotland's commitment to ethical policing and to organisational values of integrity, fairness and respect are embedded in its CES. In addition, all papers considered by the Senior Leadership Board - Police Scotland's most senior internal Governance Group - must demonstrate how these commitments have been actively considered and reflected in the development of policy proposals and recommendations.

- 2.2 The HMICS Review of Standing Authority for Armed Response Vehicle Crews within Police Scotland made a number of Recommendations. Many of these issues have already been responded to. Some may only be discussed in private with HMICS / SPA for reasons of security, however, Police Scotland can report the following progress:

Recommendation 2: SPA Member to Attend Armed Policing Monitoring Group

The SPA Chair, Mr Vic Emery OBE, attended the quarterly meeting of the Armed Policing Monitoring Group on 15 January 2015 and will continue to do so.

Recommendation 5 & 7: Engage with Local Stakeholders

As above, Police Scotland is currently undertaking EIA's and CIA's as part of the scrutiny process for all operational policies. This will include engagement with representative equalities groups. (Please refer to Recommendation 5 above)

Recommendation 8: Stakeholder Management Process

EIA's and CIA's (stakeholder engagement) will be undertaken for major policy changes. Consultation to allow completion will be communicated internally and externally through Force Executive and Local Policing Commanders.

Recommendation 10: Process to Monitor, Collate and Report Data

There is a process in place to disclose ARV officer numbers to the SPA and the Parliamentary Justice Sub Committee on a regular basis.

This paper is presented to the SPA Board as the first stage of formal engagement with the Authority in relation to these issues. Thereafter, taking account of SPA feedback, proposals for engagement with local authorities and communities will be developed.

- 2.3 The working group (APDMWG), in liaison with Community Safety, has in **Annex E** recorded its proposal for partner and community engagement (stakeholder engagement), which will be delivered in line with the recently published Police Scotland and SPA Communications and Engagement Strategy.

3. FINANCIAL IMPLICATIONS

- 3.1 There may be financial implications as the work continues to progress the recommendations. However full costs associated with this are unknown at this time.

4. PERSONNEL IMPLICATIONS

- 4.1 There are no personnel implications associated with this paper.

5. LEGAL IMPLICATIONS

- 5.1 There no legal implications in this paper.

6. REPUTATIONAL IMPLICATIONS

- 6.1 There are reputational implications associated with the work which will continue in relation to the SPA and HMICS recommendations.

Any stakeholder communications and engagement will be underpinned by the principles contained within the Police Scotland Communications and Engagement Strategy in order to fully identify any reputational implications and put in place appropriate interventions to minimise their impact.

7. SOCIAL IMPLICATIONS

- 7.1 There are social implications associated with the work which will continue in relation to the SPA and HMICS recommendations.

Any stakeholder communications and engagement will be underpinned by the principles contained within the Police Scotland Communications and Engagement Strategy in order to fully identify any social implications and put in place appropriate interventions to minimise their impact.

8. COMMUNITY IMPACT

- 8.1 There are community implications associated with the work which will continue in relation to the recommendations contained within the SPA and HMICS recommendations.

The principles of the Police Scotland Communications and Engagement Strategy will be utilised in order to identify, consult and engage with communities where there is likely to be impact as a result of any proposed changes. This will take account of equality considerations and will be recorded in an Equality and Community Impact Assessment.

9. EQUALITIES IMPLICATIONS

- 9.1 Equality implications associated with this work will continue to be fully considered as part of an Equality Impact Assessment.

RECOMMENDATIONS

Members are requested to:

Note the update on the work that has been undertaken to date within Police Scotland in relation to the recommendations contained within the SPA report published on the 27th January 2015 entitled "Inquiry into the public impact of Police Scotland's Firearms Standing Authority" and the HMICS report from October 2014 entitled "HMICS Review of Standing Firearms Authority for Armed Response Vehicle Crews within Police Scotland."



BRIEFING PAPER

| ***FOR DISCUSSION*** | | | |
|------------------------------|------------------|-------------------|---------------------------|
| Disclosable under FOISA 2002 | | No | |
| Author/Contact | CI Steven Irvine | Department / Unit | Armed Policing Operations |
| Date Created | 20/2/15 | Telephone | 01786 456060 |
| Attachments: N/A | | | |

ARMED POLICING DEPLOYMENT MODEL WORKING GROUP – SUGGESTED APPROACH TO COMMUNICATIONS AND ENGAGEMENT

1. Purpose

- 1.1 To allow the Armed Policing Deployment Model Working Group (APDMWG) to consider the requirement to undertake appropriate consultation and engagement in relation to any proposed changes to mode of carriage or deployment of ARV officers.

2. Background

- 2.1 Following significant media coverage and political observation over the decision by Police Scotland to deploy armed officers across Scotland under a standing firearms authority for the overt carriage of side arms and Taser, Her Majesty's Inspectorate of Constabulary in Scotland (HMICS) and the Scottish Police Authority carried out a review and inquiry into the decisions and communication surrounding them.
- 2.2 Under the direction of ACC Higgins, Ch Supt Elaine Ferguson convened a short term working group (APDMWG) to examine the following issues:
- Review mode of carriage across existing armed policing hubs
 - Consider alternative modes of carriage options including overt, discreet and covert opportunities

¹ HMICS Review of Standing Firearms Authority for Armed Response Vehicle Crews within Police Scotland, October 2014

² SPA Scrutiny Inquiry Report – Inquiry into the public impact of Police Scotland's Firearms Standing Authority, January 2015

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- Review the general patrol duties allocated to ARV crews, taking cognisance of the prevailing operational policing demands and environment, the criminal use of firearms and the threat from domestic and international terrorism
 - Consider alternative tasking options and opportunities for patrol duties
 - Where relevant, recommendations in relation to the change in the mode of carriage or general patrol duties allocated to ARV crews will be referred to the Armed Policing Monitoring Group
- 2.3 The HMICS report¹ and SPA Scrutiny Inquiry Report² have both made recommendations surrounding community engagement and communication in relation to policy changes and alterations to the armed policing deployment model.
- 2.4 Prior to any recommendations from the APDMWG being implemented, a consultation and engagement process to assess community and equality impact will require to be undertaken and be appropriately recorded. This will be a significant piece of work as the community engagement will require to take account of the opinions of communities across the whole of Scotland.

3. Communication Methodology

- 3.1 Having examined the Police Scotland Communications and Engagement Strategy, it is recommended that an internal and external communication methodology is adopted by Armed Policing to allow the construction of the community impact and equality impact considerations. Consultation with Corporate Communications would be required to ensure that a clear and consistent message was being delivered and the support of Local Policing Commanders would be essential to ensure that all communities were afforded the opportunity to express their views on any recommendations made.
- 3.2 Key messages will be developed to be clear about the extent of the consultation and engagement both on the decision regarding the method of carriage and the deployment of ARV crews. This will set out the rationale and context for both pieces of work and set out clear parameters for engagement in order to manage stakeholder and public expectations.
- 3.3 Consideration should be given to the construction of a question set for use internally and externally with appropriate guidance for completion to allow community and equality considerations to be assessed. In addition, there should be space for additional comments so that opinions are not constrained to the specific questions posed.

¹ HMICS Review of Standing Firearms Authority for Armed Response Vehicle Crews within Police Scotland, October 2014

² SPA Scrutiny Inquiry Report – Inquiry into the public impact of Police Scotland's Firearms Standing Authority, January 2015

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- 3.4 Once the Community Impact and Equality Impact feedback is assessed, their findings - combined with the recommendations of the APMDWG - would need to be considered and any changes to policy and / or procedures communicated to all interested parties.

4. Conclusion

- 4.1 Given the requirement for the above assessments to be completed to further inform the work of the APDMWG, it is suggested that this paper be discussed and key individuals be identified to progress the work. A communications and engagement plan will be developed and Armed Policing will take a lead role in the co-ordination of the work and subsequent construction of the Community Impact Assessment (CIA) and Equality Impact Assessment (EIA).

¹ HMICS Review of Standing Firearms Authority for Armed Response Vehicle Crews within Police Scotland, October 2014

² SPA Scrutiny Inquiry Report – Inquiry into the public impact of Police Scotland's Firearms Standing Authority, January 2015