

<b>Meeting</b>	<b>SPA Board Meeting</b>
<b>Date</b>	<b>24 September 2019</b>
<b>Location</b>	<b>Falkirk Town Hall Theatre, Falkirk</b>
<b>Title of Paper</b>	<b>Brexit Contingency Planning</b>
<b>Presented By</b>	<b>DCC Will Kerr, Local Policing</b>
<b>Recommendation to Members</b>	<b>For Discussion</b>
<b>Appendix Attached</b>	<b>No</b>

**PURPOSE**

The purpose of this report is to provide an update to the Scottish Police Authority on EU Exit contingency plans.

Members are invited to discuss the content of this paper.

## 1. BACKGROUND

- 1.1 Police Scotland continues to prepare for Brexit. Our response is managed in two distinct areas: Brexit Contingency Planning and Brexit Delivery Team.
- 1.2 The Contingency Planning team are responsible for preparing the force for any civil unrest and protests and the engagement with Strategic Resilience and Planning partners, whilst the Delivery Team are responsible for ensuring international investigations and intelligence sharing are maintained post-Brexit. Both teams have been established to respond to the forces EU Exit Strategy which is:
- 1.3 The overarching strategic intent is to 'Keep People Safe', and to act with our values of Integrity, Fairness and Respect and in consideration of Human Rights at all times.

### Strategic Objectives

- To maintain law and order and provide a lawful and proportionate policing response to any protest<sup>1</sup>.
- To protect, as far as possible, service delivery at pre Brexit levels.
- To lead, co-ordinate and support multi-agency responses.
- To continue to deliver transformational change across the service
- To support, where appropriate wider UK Policing

## 2. FURTHER DETAIL ON THE REPORT TOPIC

### Brexit Contingency Planning

- 2.1 Force Reserve
  - 2.1.1 The Force Reserve (FR) have been deployed since 5th August 2019 and are located in 5 hubs throughout Scotland. The resources are now actively deployed across our divisions supporting front line policing. The Force Reserve have deployed to a whole manner of spontaneous incidents ranging from anti-social behaviour, search, violent persons and missing persons as well as pre-planned events

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<sup>1</sup> In so doing we will balance the needs and rights of protestors with those of others impacted by protest, in accordance with our positive and negative duties under Articles 9, 10 and 11 of the European Convention on Human Rights.

such as Summer City in Edinburgh, football matches and protests, including the large scale disorder in Govan on Friday 30 August. This is not to mention general patrols which have seen stop searches, drug recoveries and warrant executions. In total there have been over 508 different deployments of the Force Reserve in the month of August.

## 2.2 Civil Contingencies and Partnership Work Streams

- 2.2.1 UK Planning Assumptions have been released, with restrictions on their wider circulation. Scottish Government (SG) Risk and Assurance Team have issued the Scottish Planning Assumptions and Risk and Mitigations documents and these have been used to develop a Risk Assessment for Police Scotland. This Risk Assessment will be utilised to inform the contingency plans. The wider resourcing of our command structures and supporting roles for the Brexit Co- ordination Centre is now under way and we are now entering a period of planning workshops with SG Resilience Division. The wider resilience partnerships will be included in the preparations of a series of testing and exercising of command, control and response arrangements, and information flows, EU Exit related vulnerabilities and potential concurrent events.
- 2.2.2 The Brexit Contingency Team are continuing to engage and work with the three Regional Resilience Partnerships (RRPs) and 12 Local Resilience Partnerships (LRPs) to ensure Scotland's resilience to EU-Exit and the possible consequences. Training and exercising activity has commenced and is based on identifying and responding to the reasonable worst case scenarios that may be faced in the event of a no deal exit and a programme of exercises have been planned. All partners continue to review their preparedness. The Scottish Resilience Partnership (SRP) Sub Group – Civil contingencies preparation for a European Union (EU) exit continues to meet on a monthly basis to focus on the possible significant civil contingency issues of an EU exit and likely impacts on business as usual.
- 2.2.3 Positive testing, exercising and feedback from the Phase One Brexit Debrief survey confirmed that Bilston Glen was a suitable venue for the BCC. As such, Bilston Glen has been confirmed for phase two. Engagement with C3 Division has taken place to stand up the BCC on 21st October 2019. Resourcing work is ongoing to identify suitably trained officers to staff the BCC.

Brexit Delivery Team

2.3 Resourcing

2.3.1 The uplift to the International Bureau is almost complete. This will increase the resource level to 4 Detective Inspectors (inclusive of two Detective Inspectors within Europol and Interpol), 5 Detective Sergeants; 22 Detective Constables and 2 Members of Police Staff throughout Scotland. This will ensure that Police Scotland is operationally ready to direct and manage international enquiries regardless of the political outcome and/or potential loss of access to EU Measures. This will ensure that Scotland maintains a strong footprint throughout the International Law Enforcement arena.

2.4 Prüm

2.4.1 Prüm (exchange of biometric data) is now live in terms of DNA exchange with Austria and Germany. Nine "hits" have already been received in respect of crimes including murder, robbery and attempted rape. All hits are being progressed with requests for nominal data from Austria or Germany. In order to optimise this policing tool ahead of any planned departure from the EU, connection with France, Spain and Netherlands is planned in September 2019.

2.5 Justice and Home Affairs (JHA) Contingency Preparations

2.5.1 Police Scotland continue to work in conjunction with justice partners and contribute to The Department for Exiting the European Union (DEXEU) Devolved Administration Working Group. This group ensures contingency planning continuity across all Devolved Administrations in order to mitigate any loss of capability.

2.5.2 Police Scotland draft no-deal contingency guidance has been created for circulation to Police Scotland officers should this be required. This guidance can be amended to include aspects of any agreed Withdrawal Agreement and will be circulated via the Force Intranet once confirmation is received of how/when the UK will exit the EU and the implications for Law Enforcement.

2.5.3 Police Scotland have now secured membership of the Home Office International Criminality Board who are responsible for reviewing the methods in which UK Police conduct international investigations. This body has commissioned work to de-conflict the roles of the National Crime Agency (NCA) International Unit, NPCC International

Crime Coordination Centre (ICCC) and ACRO Criminal Records Office (ACRO). Home Office officials have conducted a study visit to the Scottish Crime Campus to view the International Bureau and learn best practice. Their aim is to create a Judicial Cooperation Strategic Framework as they intend to replicate the Scottish International model.

2.5.4 Police Scotland carried out a successful visit to Law Enforcement colleagues in Portugal and are working alongside representatives from ICCC, NCA and PSNI to plan a series of engagement visits to a range of EU and Non-EU countries. These visits are vital to achieve a framework for international liaison upon EU Exit.

### **3. FINANCIAL IMPLICATIONS**

3.1 The total spending in relation to Brexit for Police Scotland is £8,053,218 as of 9 September 2019.

### **4. PERSONNEL IMPLICATIONS**

4.1 There are no identified personnel implications at this time.

### **5. LEGAL IMPLICATIONS**

5.1 The procurement team continues to engage with suppliers to identify any risks posed to the capabilities of Police Scotland.

### **6. REPUTATIONAL IMPLICATIONS**

6.1 Any reputational implications have been considered and plans to mitigate any potential reputational risk are being compiled to reduce this risk.

### **7. SOCIAL IMPLICATIONS**

7.1 Brexit is a highly contentious subject and the Brexit Contingency Planning Team are fully aware of the potential civil unrest. Police Scotland's Brexit Intelligence officers continue to monitor social media sites in order that Police Scotland can prepare and respond to any potential protests.

### **8. COMMUNITY IMPACT**

8.1 Police Scotland continues to monitor any community impact of EU Exit to ensure the needs of our communities across Scotland are

understood and responded to appropriately. The number of incidents remains at a constant with no issues directly related to Brexit being identified.

**9. EQUALITIES IMPLICATIONS**

9.1 Under the process of Equality Impact Assessment, any identified inequalities will be assessed.

**10. ENVIRONMENT IMPLICATIONS**

10.1 There are no environmental implications currently identified.

**RECOMMENDATIONS**

Members are invited to discuss the content of this report.