

<b>Meeting</b>	<b>Complaints &amp; Conduct Committee</b>
<b>Date</b>	<b>02 March 2022</b>
<b>Location</b>	<b>MS Teams</b>
<b>Title of Paper</b>	<b>COP26 Complaint Outcomes</b>
<b>Presented By</b>	<b>CS John Paterson</b>
<b>Recommendation to Members</b>	<b>For Noting</b>
<b>Appendix Attached</b>	<b>No</b>

#### **PURPOSE**

The purpose of this briefing paper is to provide the SPA with an up-to-date position on the status of complaints and conduct matters received during and in respect of the Conference of the Parties (COP26).

Members are invited to note the content of this report.

## 1. BACKGROUND

- 1.1 Operation Urram was Police Scotland's response to the United Nations Framework Convention on Climate Change (UNFCCC) Conference of the Parties (COP26) which took place in October and November 2021.
- 1.2 Previous submissions documents that the event necessitated the assistance of all United Kingdom police forces in the form of Mutual Aid.
- 1.3 An agreement by all Chief Constables in the United Kingdom, under Section 98 of the Police Act 1996 proscribed that, should matters arise that gave cause to question the performance or conduct of a police officer in circumstances that do not amount to criminality and where that officer is performing duties away from their home force jurisdiction, then the matter would be referred to the officer's home force.
- 1.4 On duty criminal acts fell under the jurisdiction of the local prosecutor whilst off duty criminality, irrespective of the officer's home force, was progressed as with any criminal act committed by a member of the public and the officer's home force notified.
- 1.5 During and following the period of COP26, all complaints and conduct matters directly relating to the policing of the event were prioritised and monitored to their conclusion. Complaints were only deemed to be relevant if the complainer was directly or adversely affected by police conduct and not through a third party or through a medium such as television.

## 2. FURTHER DETAIL ON THE REPORT TOPIC

- 2.1 A total of 27 Complaints About the Police which were connected to policing activity at or concerning the event were received. A further 13 conduct matters were recorded.
- 2.2 Complaints About the Police

The 27 complaints received incorporated 53 separate allegations, two of which were criminal in nature.

As of 1 February 2022, 24 of the 27 complaints are considered closed and three remain live. Two of the live cases are in respect of criminal allegations.

The complaints are broken down by category below:

OFFICIAL  
OFFICIAL – POLICE & PARTNERS

CATEGORY	No. OF COMPLAINTS	CLOSED	LIVE
Stopped & Questioned by Police	5	5	0
Prevented Access due to Roads/Bridge Closure	6	6	0
Manner of Driving	5	4	1
Excessive Force	2	2	0
Containment	5	5	0
Irregularity in Procedure	2	2	0
Assault	1	0	1
Theft	1	0	1
<b>TOTAL</b>	<b>27</b>	<b>24</b>	<b>3</b>

20 (74.1%) complaints were concluded by way of Front Line Resolution (FLR), that is, the complainer was satisfied that their complaint was resolved by way of explanation, assurance or apology. Two complaints were withdrawn, one was abandoned and a further one was deemed not to be a relevant complaint. Three cases are still live and ongoing.

13 of the complaints were deemed to be Quality of Service concerns and therefore not attributed to any particular officers. Of the remaining 14, 6 related to Police Scotland officers, 3 to mutual aid officers and in 5 cases, the identity of the officers could not be established.

### 2.3 Complaint Handling Review

In respect of one of the above complaints, a request was submitted by the applicant to the Police Investigations and Review Commissioner (PIRC) to conduct a Complaint Handling Review (CHR).

The complainant's initial concerns related to road closures implemented at short notice and the effect these had on children travelling home from school. Whilst the complaint was deemed minor in nature and an explanation provided that Police Scotland had issued an apology concerning road closures, the complainant felt that a further public apology, specific to the issues faced by children as a result of the closures should be issued.

PIRC found that Police Scotland's response to the complainer could have been more comprehensive and the apology reiterated and, in

that respect, Police Scotland did not handle the complaint to a reasonable standard. Notwithstanding, it was concluded that sufficient enquiry was undertaken to establish the content of the public statement and provide this to the complainer and they did not require Police Scotland to take any further action.

#### 2.4 Conduct Files

To date, 13 conduct files have been raised; however, one relates to an officer from another force who was not deployed to Scotland as part of a mutual aid contingent. The circumstances around this file relate to the management of a social media account.

One of the conduct matters was deemed to be criminal in nature and the remaining 12 were non-criminal.

The majority of conduct matters relate to behaviours of mutual aid officers with one concerning a Police Scotland officer.

Police Scotland remains in liaison with relevant forces until all matters reach conclusion.

#### 2.5 SMARTEU Exercise and Debrief

PSD tested its operational delivery of both complaint handling procedures and Post Incident Procedures prior to COP26 by way of multi-agency workshops, through the Scottish Multi-Agency Training and Exercise Unit (SMARTEU).

On Tuesday 1 February 2022, SMARTEU also facilitated a debrief workshop, the overall aim of which was to examine PSD's response to COP26.

The objectives were set out as:

1. Identify best practice for future operational deployments.
2. Identify capability and capacity to deliver an appropriate departmental response whilst supporting the welfare needs of staff.
3. Recognise developmental needs within the department.
4. Ensure any other considerations required to fully achieve any future response to such events or operations are captured.

This provided a great opportunity for PSD to reconvene post-event and consider structures, performance and opportunities to learn and

develop as a department, not just in support of events but in terms of business as usual. PSD have already transposed learning from COP26 in review of Force standing plans for significant events.

The event was well attended from all areas of PSD and provided an environment where colleagues were encouraged to discuss candidly all aspects of pre, during and post event planning and implementation. A final report is being compiled by SMARTEU and will be provided to PSD to inform future learning and planning.

### **3. FINANCIAL IMPLICATIONS**

3.1 There are no financial implications associated with this paper.

### **4. PERSONNEL IMPLICATIONS**

4.1 There are no personnel implications associated with this paper.

### **5. LEGAL IMPLICATIONS**

5.1 There are no legal implications associated with this paper.

### **6. REPUTATIONAL IMPLICATIONS**

6.1 Failure to engage an effective and efficient complaint handling strategy for COP26 would negatively impact on the reputation of Police Scotland and public trust and confidence, together with the welfare and wellbeing of, not only Police Scotland officers and staff, but those officers and staff seconded on mutual aid. In addition it was critical that any allegations of non-criminal, criminal and conduct matters in relation to any officers and staff were reacted to swiftly and robustly with the public updated as to the outcome.

### **7. SOCIAL IMPLICATIONS**

7.1 There are no social implications associated with this paper.

### **8. COMMUNITY IMPACT**

8.1 There are no community impact implications associated with this paper.

### **9. EQUALITIES IMPLICATIONS**

9.1 There are no equalities implications associated with this paper.

## 10. ENVIRONMENT IMPLICATIONS

10.1 There are no environment implications associated with this paper.

### RECOMMENDATIONS

Members are invited to note the contents of this report.