



Authority Meeting

24 November 2022

Minutes of the Authority Meeting held on Thursday 29 September 2022
via MS Teams

Board Members present:	Martyn Evans (Chair) Jane Ryder (Vice Chair) Paul Edie Tom Halpin Alasdair Hay Katharina Kasper Grant Macrae Fiona McQueen Michelle Miller Mary Pitcaithly Catriona Stewart Caroline Stuart
Board Member apologies:	None
In attendance:	<u>Police Scotland</u> Chief Constable Sir Iain Livingstone Deputy Chief Constable Fiona Taylor Deputy Chief Constable Will Kerr Deputy Chief Constable Malcolm Graham Deputy Chief Officer David Page Assistant Chief Constable Kenny MacDonald (Items 1-5) James Gray, Chief Financial Officer Kirsty-Louise Campbell, Head of Strategy and Innovation (Item 8) James Bertram, Health and Safety Manager (Item 10) Phil Collard, Head of Estates (Item 10)

	<p><u>Scottish Police Authority (SPA)</u> Lynn Brown, Chief Executive Chris Brown, Deputy Chief Executive Barry Sillers, Deputy Chief Executive</p> <p><u>Police Scotland Equality, Diversity, Inclusion and Human Rights Independent Review Group</u> Robin Iffla, Chair (Items 8-9) Chris Creegan, Vice Chair (Items 8-9) Victor Olisa, Vice Chair (Items 8-9)</p> <p><u>HMICS</u> Craig Naylor, Her Majesty's Chief Inspector of Constabulary in Scotland (Items 9-10)</p> <p><u>SPA Secretariat</u> Karen Vallance, Governance Support Officer</p>
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1. WELCOME AND STANDING ITEMS

The Chair opened the meeting and welcomed all Authority Members and representatives from Police Scotland's senior leadership team. The Chair confirmed Vice Chair Jane Ryder would Chair the meeting should he be disconnected from the call.

The Authority **RESOLVED** to:

- **NOTE** no Member apologies;
- **NOTE** Catriona Stewart declared an interest in items 8 and 9 due to her roles in the equality, diversity and inclusion area;
- **NOTE** no other business;
- **AGREE** that, in accordance with paragraph 20 of the SPA Standing Orders, the Board would consider items 11 to 16 in private for the reasons set out on the agenda.

2. MINUTES AND ACTIONS FROM PREVIOUS MEETING

The Authority **RESOLVED** to:

- **ADOPT** the minute of the 25 August 2022;
- **NOTE** the action log. There were no matters arising.

- **NOTE** no decisions were taken via correspondence since the last meeting.

3. SPA CHAIR'S REPORT

The Chair referred to his report and congratulated Police Scotland on their contribution to Operation Unicorn. In addition to his written report, the Chair noted he had attended the National Police Memorial Day in Belfast which had highlighted the dedication and sacrifice of officers and their families. Referring to the recent incident where an officer in Glasgow was hospitalised due to injuries, the Chair reiterated there was zero tolerance on attacks on officers and staff. The Chair wished a speedy recover to the officer involved.

The Chair noted approval was sought for Committee membership changes, and thanked Michelle Miller for her work as Policing Performance Committee Chair.

The Chair congratulated DCC Will Kerr (DCCkerr) on his appointment as Chief Constable of Devon and Cornwall Police, and thanked him for his service to Police Scotland. Chief Constable Sir Iain Livingstone (CCLivingstone) also paid tribute to DCCkerr for his contribution to Police Scotland, and thanked ACC Kenny MacDonald (ACCMacDonald) and Director of People and Development, Jude MacDonald, who were both due to retire.

The Board **RESOLVED** to:

- **NOTE** the report.
- **APPROVE** changes to Committee Membership.

4. COMMITTEE CHAIRS' REPORT

Members considered the report which provided an update on business progressed since the last Authority meeting through the:

- Complaints and Conduct Committee
- People Committee
- Legal Committee
- Forensic Services Toxicology Oversight Group
- Audit, Risk and Assurance Committee
- Resources Committee

The Board **RESOLVED** to:

- **NOTE** the report

5. CHIEF CONSTABLE'S REPORT

CCLivingstone provided a detailed introduction to his report, specifically drawing attention to the following areas:

- Significant investigations and convictions
- Violence Against Women and Girls
- Professional Recognition
- Attempted murder of a Police Officer
- Police Memorial Events

In addition to the written report, CCLivingstone provided a detailed update on Operation Unicorn, highlighting the following:

- As per Operation Unicorn planning, ACCMacDonald was deployed as Gold Commander for the policing response and DCC Malcolm Graham (DCCGraham) maintained strategic overview for Operation Unicorn. DCC Fiona Taylor (DCCTaylor) was appointed to take strategic responsibility for business as usual policing across Scotland.
- Officers and staff from every local policing division and every national department and capability were deployed to support Operation Unicorn, responding with professionalism and high standards.
- Between Sunday 11th and Tuesday 13th September, over 9500 operational officers were deployed. Many other officers and staff were deployed to undertake duties such as: armed officers; close protection officers; community policing officers and air support.
- Members of police staff and contractors took part in significant contributions such as: establishing ICT support; arranging accommodation; providing catering; and ensuring workforce agreements were put in place. As during the pandemic and COP26, probationary constables undergoing training were deployed under the supervision of experienced colleagues.
- Wider UK policing supported the operation in Scotland by way of mutual aid, and some Police Scotland officers continued their duty during events in London.
- There were no security breaches; no significant violence or disorder; and no safety issues. Only 13 arrests were recorded and one of those arrests has already resulted in a court conviction.

- Police Scotland planned for and facilitated a number of demonstrations. On a small number of occasions, operational officers made dynamic assessments that behaviour of individuals required police intervention as it appeared to breach the threshold of criminality. The Crown Office and Procurator Fiscal Service will independently review the circumstances, sufficiency of evidence, and whether the matter is in the public interest to prosecute.
- Where concerns are raised about policing, the organisation will assess, seek contact with any relevant individuals and respond. If the service has got something wrong in relation to a specific set of circumstances or could have done something better, it will be acknowledged and necessary and proportionate action will be taken.
- Campaigning and demonstration is a vital part of civic life, however abusive or threatening behaviour is not legitimate protest. The policing response will always be driven by proportionality, accordance with law and public safety, and exercised through officer's professional judgement.
- Police Scotland will undertake a full and thorough de-brief, along with partners, with areas of good practice and organisational learning used to shape the planning, briefing and response to future events.
- Tribute was paid to officers and staff for successfully delivering a safe and secure operation.

In discussion the following matters were raised:

- Members requested further comment on upholding public right to demonstrate and protest. The Chief Constable re-affirmed Police Scotland's unequivocal commitment to uphold and protect the right to protest, including during Operation Unicorn and highlighted the complex nature of the Operation, including the increased threat levels arising from close public contact with members of the Royal Family, and the number of international dignitaries attending, reiterating that the large number of interactions with police officers contrasted with a very low number of arrests. ACC MacDonald confirmed that the policing approach to protests had always been part of strategic planning for this operation, and had been subject to rigorous testing and exercising.
- Members were further assured a full structured debrief will be undertaken and reported publically to the Authority. DCCGraham will lead the debrief work, who confirmed there was capacity and desire for learning to assist improvement.

- Members referenced the 4E's approach to policing COVID-19 and questioned whether a similar approach was taken during Operation Unicorn. CCLivingstone responded that the scope and scale was different with a large amount of interactions, so the policing approach could not be compared to COVID-19 however principles and values were the same. DCCGraham added the 4E approach was framed around introducing a new set of laws that were complex, wide ranging and fast changing. The evolution of best practice relating to public order policing is complex and nuanced, however is also focussed on communication.
- Members sought further information on the level of briefings shared with officers deployed to Operation Unicorn and heard there were daily briefings which confirmed the expected policing style and tone, and additional information was available on the intranet.
- Members were assured that learning from COP26 and previous large operations were used to shape the planning and approach in respect of Op UNICORN and any learning from the debrief would inform future events.
- Members questioned whether it was possible to seek support from Scottish Government to speed up the introduction of body worn video, to help support accountability. DCCKerr informed Members that lack of requisite funding was a challenge in respect of body worn video, and when there was the ability to introduce it would take a couple years to implement. The Chair confirmed the Authority were fully supportive for the rapid introduction of body worn video.
- Members were informed that despite the dynamic nature of events, officer experience, structure and training allowed them to make individual assessments. The Chair emphasised that officer's judgement of behaviour is only one line of assurance. The next is the threshold to prosecute which is not for Police Scotland to decide.
- The Chair noted he welcomed the commitment by Police Scotland to report back on lessons learned and thanked CCLivingstone for his leadership and professionalism during Operation Unicorn.
- Members referenced the Violence Against Women and Girls Seminar and sought information on next steps. DCCGraham noted the seminar was an exemplar of partnership work and all partners

supported developing the strategic approach. Members heard information received is currently being analysed and work progresses in terms of service delivery.

The Authority **RESOLVED** to:

- **NOTE** the report.

6. SPA CHIEF EXECUTIVE'S REPORT

Members considered the report which detailed activities involving SPA corporate staff since the previous Authority Meeting. Lynn Brown (LBrown) highlighted a number of key points as detailed in the paper.

The Authority **RESOLVED** to:

- **NOTE** the report

7. POLICE SCOTLAND SCHEME OF FINANCIAL DELEGATION

Members considered the report which sought approval for proposed amendments to the Police Scotland Scheme of Financial Delegation. James Gray highlighted a number of key points as detailed in the paper.

Resources Committee Chair, Grant Macrae, confirmed the Committee were content to recommend for approval.

The Authority **RESOLVED** to:

- **APPROVE** the Police Scotland Scheme of Financial Delegation

8. EQUALITY, DIVERSITY AND INCLUSION STRATEGY

Members considered the report which sought approval for the Police Scotland Equality, Diversity and Inclusion Strategy, and presented the implementation plan. DCCTaylor introduced the paper, noting the intention for the organisation's approach to equality, diversity and inclusion was to be clear for all; ensure values of integrity, fairness and respect, with a commitment to upholding human rights to enable collective challenge and eradicate discrimination from the workplace. Kirsty Louise Campbell highlighted a number of key points as detailed in the paper, highlighting the extensive consultation and engagement.

In discussion the following matters were raised:

- People Committee Chair, Fiona McQueen (FMcQueen), confirmed the Committee recommended the strategy for approval, whilst

noting the area around fair work was of importance. The Committee recognised there were areas for improvement but welcomed the commitment to the pace of work and measurements.

- Members sought assurance there would be focus on disability and hidden disabilities, and heard various non-statutory staff associations including the Disability and Carer Association were supportive of work undertaken. DCCTaylor reassured Members that the organisation is listening to people with disabilities and hidden disabilities and the strategy is clear that, if successful, everyone can be their true selves. FMcQueen confirmed the People Committee would monitor strategy progress with the perspective of different areas.
- The Chair welcomed the connection between the strategy and implementation plan, and the commitment to strategy outcomes and measurements. The Chair noted he had met with staff associations who were supportive of work.

The Authority **RESOLVED** to:

- **APPROVE** the Equality, Diversity and Inclusion Strategy

9. POLICE SCOTLAND EQUALITY, DIVERSITY, INCLUSION AND HUMAN RIGHTS INDEPENDENT REVIEW GROUP

Members considered the report which provided an update on the work of the Equality, Diversity and Inclusion and Human Rights Independent Review Group. Robin Iffla (RIffla) highlighted a number of key points as detailed in the paper, emphasised the programme in recruiting, and a proposal for oversight will be established, with support from SPA.

In discussion the following matters were raised:

- RIffla committed to contacting Catriona Stewart for further discussions, and agreed to provide biographies of group members. Independent Review Group Vice Chair, Chris Creegan, added that time was taken to ensure members recruited had the correct capacity and capability, which had taken longer than intended, although initial work had progressed.
- Members sought further comment on organisational change and culture to which Independent Review Group Vice Chair, Victor Olisa, noted the group intended to ensure improvements, agreements and change are embedded and endured. CCreegan added the group would look to understand existing culture from the perspective of

multiple stakeholders and then work with Police Scotland to identify a successful change model. Riffa further added that there would be a long term piece of work to look at culture of those intending to join.

- The Chair referenced how the Home Secretary wrote to Chief Constables in England and Wales and reported that equality, diversity and inclusion issues should not take precedence over common sense policing, and sought the group's opinion. Members heard it was not a new theme and was something the group would address. Members heard the importance of equality, diversity and inclusion cannot be driven forward without training, and the group would look at what is being delivered and how.
- The Chair noted the Authority would look to the group for assurance that Police Scotland are exemplars in the field.

The Authority **RESOLVED** to:

- **NOTE** the report

10. HEALTH AND SAFETY ANNUAL REPORT

Members considered the report which provided a strategic overview in relation to Health and Safety within SPA and Police Scotland. James Bertram (JBertram) highlighted a number of key points as detailed in the paper, and thanked Board Member Alasdair Hay (AHay) who attended the internal Health and Safety Board.

In discussion the following matters were raised:

- People Committee Chair FMcQueen confirmed the Committee were content with the proactive work and how improvements were being made. A deep dive session would be undertaken on officer wellbeing.
- Members agreed the dashboard format was a helpful presentation of the information.
- AHay commented that the internal Health and Safety Board was a good insight to the comprehensive work ongoing and it was clear there was no complacency. He also commended the progress on fire safety.
- Members sought further comment on the use of the 24/7 health and safety advisor line and heard it was used regularly with 2-3 calls a week.

- Members sought more information on the change in number of assaults and how these are reported. Members heard the change in number was due to a previous under reporting issue and work with Your Safety Matters had contributed to more accurate reporting, albeit with an increase since last year. DCCTaylor added that assaults are 1.5% below the five year average and the overall injury rate has also dropped as a consequence. The work of the Health and Safety team, aligned with Your Safety Matters and Tom McMahon's analytical team allows the organisation to be in a position to better understand effectiveness of safety training.
- The Chair reiterated the importance of the implementation of body worn video and the impact it could have on reducing officer assaults and injuries.

The Authority **RESOLVED** to:

- **NOTE** the report