

SCOTTISH POLICE  
AUTHORITY  
AUTHORITY MEETING  
30 June 2021

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Minute of the SPA Authority Meeting held on Wednesday, 30 June 2021 via Video-conference

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Board Members Present: Martyn Evans (Chair)  
Jane Ryder (Vice Chair)  
Robert Black  
Paul Edie  
Tom Halpin  
Alasdair Hay  
Katharina Kasper  
Grant Macrae  
Fiona McQueen  
Michelle Miller  
Mary Pitcaithly  
Catriona Stewart  
Caroline Stuart

In attendance: Police Scotland  
Chief Constable Iain Livingstone  
Deputy Chief Constable Fiona Taylor  
Deputy Chief Constable Will Kerr  
Deputy Chief Officer David Page  
Assistant Chief Constable Gary Ritchie (Item 11)  
Assistant Chief Constable Bernie Higgins (Item 8)  
Assistant Chief Constable Alan Speirs (Item 9)  
James Gray, Chief Financial Officer  
Andrew Hendry, Chief Digital and Information Officer  
Jude Helliker, Director of People and Development (Item 10)  
Tom McMahon, Director of Strategy and Analysis (Item 6)  
James Bertram, Health and Safety Manager (Item 10)

Scottish Police Authority (SPA)  
Lynn Brown, Chief Executive Officer

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Chris Brown, Deputy Chief Executive, Resources  
Barry Sillers, Deputy Chief Executive, Strategy and  
Performance  
John McNellis, Head of Finance, Audit and Risk (Item 7)

Independent Advisory Group on Police Use of Temporary  
Powers Related to the Coronavirus Crisis

John Scott QC, IAG Chair (Item 9)  
Simon Anderson, Consultant (Item 9)  
Jen Waterton, Consultant (Item 9)

SPA Secretariat

Eleanor Gaw, Governance and External Relations Lead  
Karen Vallance, Governance Support Officer

## 1. WELCOME AND STANDING ITEMS

The Chair opened the meeting and welcomed all Authority Members and representatives from the Police Scotland senior leadership team. He confirmed Jane Ryder would chair the meeting if he were disconnected from the video-conference.

The Authority **RESOLVED** to:

- **NOTE** no Member apologies;
- **NOTE** no declarations of interest;
- **NOTE** no other business;
- **AGREE** that, in accordance with paragraph 20 of the SPA Standing Orders, the Board would consider items 12 - 15 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 26 May 2021;
- **NOTE** the action log and that there were no matters arising.
- **NOTE** no decisions were made since the last Authority meeting.

### 3. SPA CHAIR'S REPORT

The Chair referred to his report and congratulated DCC Fiona Taylor and Chief Superintendent Roddy Newbigging who had been awarded the Queen's Police Service Medal, and Professor Fiona McQueen who had been awarded a CBE. Members and Chief Constable Iain Livingstone (CCLivingstone) also offered congratulations to those honoured.

The Chair referred to the MOU, signed with CCLivingstone, which sets out the process which Police Scotland and SPA will follow in considering emerging policy and practice, with a focus on technology. The Chair stated that the improvement of technology in policing is a critical objective of his and this needs to be done in a way which is highly considerate of all the implications of technology, with a process that is open and transparent but done at pace. The Chair highlighted that if outcomes are right and achieved through due process, the Authority and the public will have confidence in the role of technology in policing. The Chair thanked CCLivingstone and Senior Officers for their support and committed to reviewing the MOU in six months' time.

CCLivingstone agreed it was a welcome development, citing the need for effective consultation and engagement as well as the support and challenge from SPA. CCLivingstone added more people will support the service if they properly understand policing and the challenges it faces.

Members offered thanks to the SPA Chief Executive for running a successful induction programme to support newly joined Members

The Chair highlighted that Committee and Oversight Group Chairs' reports had been appended to his report to highlight how much work is undertaken through the Committees and Oversight Groups. Members considered the reports which provided an update on business progressed since the last Authority meeting through the:

- People Committee
- Policing of COP 26 Oversight Group
- Legal Committee
- Policing Performance Committee
- CAM Oversight Group
- Resources Committee

The Board **RESOLVED** to:

- **NOTE** the reports.

#### 4. CHIEF CONSTABLE'S REPORT

CCLivingstone provided a detailed summary of the paper. In addition to the information provided in the paper, he highlighted the following additional points:

- Operational updates were provided relating to several murder investigations and serious crime investigations.
- CCLivingstone confirmed two men had been arrested with regard to the injury of a police officer in Kilwinning and reiterated his condemnation of assaults against police officers and staff.
- CCLivingstone highlighted the benefits of a single national Police Service of Scotland when engaging with international partners and key agencies, referencing convictions for terrorism offences in Scotland following international cooperation; and the provision of critical evidence and information which led to significant convictions in Sweden.
- CCLivingstone confirmed a key element of planning for COP 26 has focussed on ensuring communities of Scotland will continue to receive a high standard of policing during the event. In reference to mutual aid, CCLivingstone noted the reciprocal benefits of close cooperation through participating in broader UK policing arrangements.

In discussion the following matters were raised:

- Members were assured there was a long term commitment to improving equality and diversity within the organisation. Members heard the positive action team were working to increase gender mix of recruits and were working with LGBT+ and minority communities to encourage recruitment. CCLivingstone had already reported that in the recent intake of 180 probationers, there was a 50/50 gender split of officers from diverse backgrounds and ethnicities. Police Scotland have also collaborated with Black Professional Scotland to increase the profile of Police Scotland in communities where policing is not necessarily seen as a potential profession. The mix of police training staff now includes black and ethnic minority officers and Members were assured that work continues to manage inclusion, diversity and retention in these key areas.
- Members were provided information on the background of 200 armed forces reservists, noting it was not focussed on military

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police experience but the capability that people have through either previous regular service or long term involvement.

- Members heard of the three different tiers of engagement with COSLA and Local Authority representatives. The first is structurally improving relationships with SOLACE and COSLA representatives through the Local Policing Programme. The second tier focusses on communication with local elected representatives, evidenced during our response to COVID-19, and providing bespoke briefings for Local Councillors on areas such as COP 26 and public order tactics. The third tier involved regular engagement with party leaders and justice spokespersons.
- CCLivingstone advised Members that the creation of Police Scotland had enhanced the ability to interact with forces and partners across the world. Members were informed that Police Scotland's International Policing Unit was the model used when the UK looked to develop structures to address challenges from Brexit and the loss of some legal measures. Members noted CCLivingstone sits on a UK wide group in respect of international policing coordination, and DCKerr has been nominated to be the UK representative on an Interpol management board.
- Members welcomed the continued focus on etizalam in respect of incidents involving drug use.
- Members were assured that Police Scotland are looking to maintain relationships with Europol on a third party basis, and are working hard to maintain bilateral relationships with other European partners.
- Members were assured that work on equality and diversity will look at every strand, including hidden disabilities.
- Members heard that Police Scotland continue to be committed to encouraging youth volunteers. Every local authority has youth volunteers who are visible at public events albeit, this has been impacted due to Covid-19.
- Members were informed that the number of Special Constables had decreased as the service had acted as a successful pathway into regular service. Funding had also been an issue however Police Scotland now look to strategically invest in Special Constables. Work continues to ensure all officers are active and training is kept up to date.

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- The Chair noted further discussion on the flow of cross border intelligence and cooperation regarding serious and organised crime and cybercrime was required, in order to provide public visibility and assurance.

The Authority **RESOLVED** to:

- **NOTE** the update.

## 5. SPA CHIEF EXECUTIVE'S REPORT

Members considered the report which detailed activities carried out by the Chief Executive and the Executive Team since the previous Authority Meeting. Lynn Brown (LBrown) highlighted a number of key points as detailed in the paper and noted that a number of reports had recently been published by HMICS and these would be discussed through the appropriate Committees.

The Authority **RESOLVED** to:

- **NOTE** the report

## 6. POLICING PERFORMANCE

Members considered the Police Scotland Quarter 4 Performance Report (Item 6.1); Police Scotland Chief Constable's 2020/21 Year End Performance Assessment (Item 6.2); and the Policing Performance Framework Update which was presented for approval.

In discussion the following matters were raised:

- CCLivingstone stated the challenges of the last year had been extraordinary and will have had an impact on policing performance and demand, and the full effect won't be seen for months or years to come. The performance of the single service through the Covid-19 period has underlined that the creation and implementation of Police Scotland was the right policy change.
- The Policing Performance Committee Chair commented that the ability to continue business as usual work during the pandemic was hugely commendable.
- Members noted an increase in different types of crime evolving during the pandemic which are not anticipated to decrease once the pandemic ends, and questioned how this high level will be

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managed. Members were informed it was not yet known if the shift in types of crimes was permanent but work continues to identify what the demand currently is, in terms of crime and non-crime types, and further benchmarking work against other forces was required. The Strategic Workforce Plan and the Cyber Strategy would also provide detail to better align capacity. Members heard work continues with partner agencies, and the Chair noted the HMICS report on Demand will go to the Policing Performance Committee.

- Members questioned whether there had been any discussion on reasonable limits of expectation regarding performance. CCLivingstone responded that the Annual Police Plan lays out how Police Scotland continue to look to modernise and what is expected from partners in areas such as mental health. CCLivingstone stated the plan should be ambitious and plan out what can be provided to assist appropriate resourcing.
- The Policing Performance Committee Chair confirmed the Committee recommended the Performance Framework for approval, noting it was a good piece of work which has evolved over time. The biggest challenge recognised was identifying effective data.
- Members were informed work continues to understand demand in relation to cyber-crime to inform recruitment, investment and capabilities in the area.
- Members discussed levels of online fraud and were advised Police Scotland are working with financial institutions to ascertain what more can be done in both prevention and reporting. The Chair noted reporting around cyber enabled fraud would be discussed further at Committee and Authority level.
- Members were assured there was rigorous methodology applied to the public confidence survey and statistical changes during 2020 were due to a number of reasons. These included Police Scotland being a proxy institution for various areas, plus survey release dates coinciding with changes to restrictions, specifically over the Christmas period.
- Members were informed that areas of the justice system had been paused which would impact demand management. Discussions continue with criminal justice partners, Scottish Government and public sector bodies on what support can be given. Some changes

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to ways of working introduced during the pandemic may remain such as providing remote evidence.

- Members were informed new software had been installed which provided better analysis of qualitative responses from the Your Police Matters Survey to identify substantive issues. A commitment was given to include qualitative analysis within quarterly performance reporting.
- Members were assured work would be done to cross match absence management reporting with the equality and diversity profile.
- Members were informed Police Scotland continue to work with the criminal justice system to ensure assaults against officers are pursued. Work continues to encourage incident reporting which has resulted in an increase in officers reporting their experiences, showing a change to organisational culture. Improved analytical capability allows better understanding at divisional level of any themes. Officer safety training has been enhanced with additional emergency lifesaving training incorporated.
- Members questioned the use of a single measure of confidence and were informed confidence levels of those who have come into contact with Police Scotland remain high, but further work was required to understand different factors.
- Members were informed Police Scotland are working closely with the Crown Office to understand the impact of officer assaults aggravated by discriminatory behaviour.
- The Chair acknowledged the amount of information brought to the Authority, noting it was only the high level governance detail with more operational level detail discussed and communicated throughout the organisation. The Chair noted the Authority take great assurance from the information presented.

The Authority **RESOLVED** to:

- **NOTE** the reports;
- **APPROVE** the Policing Performance Framework.

## 7. SPA FINANCIAL REGULATIONS

Members considered the paper which sought approval for the updated SPA Financial Regulations. LBrown highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- Members were informed the Resources Committee recommended the paper for approval.
- Members were informed the updated regulations would be published on the SPA intranet and incorporated into the training programme for new members of staff with financial responsibilities. Consideration would be given to providing refresher training for current staff.

The Authority **RESOLVED** to:

- **APPROVE** the proposed amendments to the SPA Financial Regulations.

## 8. 26<sup>th</sup> CONFERENCE OF THE PARTIES (COP 26)

Members considered the paper which provided an update on policing planning for COP 26. DCC Will Kerr (DCC Kerr) highlighted a number of key points as detailed within the paper, and informed Members the Independent Advisory Group had provided advice on the communication strategy recently launched.

In discussion the following matters were raised:

- ACC Bernie Higgins (ACCHiggins) emphasised the importance of taking good learning and understanding lessons learned from the G7 event.
- Members were informed that CCLivingstone and ACCHiggins had met the Cabinet Secretary for Justice and the Secretary of State for Scotland to discuss policing plans and provide assurance.
- Members heard from the SPA Policing of COP 26 Oversight Group Chair who confirmed the group take assurance from the MET review and HMICS report. As a current priority, the group will focus on the timeframe and delivery of the exercising programme to ensure learning can be applied timeously. Members heard extensive planning is reflected in reporting to the group.
- Members were informed, from an operational perspective, logistics are the biggest risk with both strategic and tactical consequences, however there are currently no issues anticipated.
- The Chair reiterated the SPA Policing of COP 26 Oversight Group has taken assurance from the MET and HMICS reviews and the

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group have a high level of confidence that Police Scotland can police a safe and secure event.

The Authority **RESOLVED** to:

- **NOTE** the report

## 9. POLICING RESPONSE TO COVID-19

### 9a. OPERATION TALLA

CCLivingstone reflected on the policing response to Covid-19 and highlighted the following points:

- CCLivingstone reminded Members there was no regulatory framework when places began to close in March 2020, and it took time for Scottish Government to recognise how police could assist. Discussions with public health officials at that time concluded the key intervention was physical distancing and the only way to achieve that was voluntary compliance with support from Police Scotland. The 4Es approach allowed Police Scotland to underline its response based on protection and prevention.
- CCLivingstone highlighted the three criteria the service should be assessed against: supporting the public health response to reduce virus related deaths; maintaining public confidence; and protecting the welfare and safety of officers and staff.
- CCLivingstone commended DCC Malcolm Graham and ACC Alan Speirs for their work and leadership.
- The CAM response had changed to maintain public protection work and to reach out to those who are vulnerable.
- CCLivingstone stated the logistical effort was outstanding, noting the whole of the service was mobilised which required robust internal governance in addition to normal business as usual structures.
- Police Scotland provide regular daily bulletins to inform the public on issues and challenges, and have written directly to representatives in government to highlight challenges.
- SPA continuing to hold and live stream full Authority and Committee meetings was a significant virtue of governance arrangements for Police Scotland.
- CCLivingstone noted officers undertook duties with compassion, discretion and good sense. There were 140,000 interactions with

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members of the public but only a small number required enforcement action, and public confidence has been maintained.

- CCLivingstone noted his appreciation of the support, commitment and joint working from SPA, the Independent Advisory Group (IAG) and key agencies such as HMICS and PIRC.
- CCLivingstone confirmed Police Scotland will continue to review the response to the pandemic to ensure lessons are learned and to retain benefits identified.

The Chair agreed there will be lessons learned which the Authority will return to, but one clear lesson already identified was that the response was helped by Scotland having a single police service.

**9b. INDEPENDENT ADVISORY GROUP ON POLICE USE OF TEMPORARY POWERS RELATED TO THE CORONAVIRUS CRISIS**

Members considered the letter from John Scott QC (JScott) which provided a summary of the ongoing work of the IAG and an outline of the next report to the Authority meeting in August. JScott highlighted a number of key points as detailed within the paper.

The Authority **RESOLVED** to:

- **NOTE** the letter

**9c. INDEPENDENT ADVISORY GROUP ON POLICE USE OF TEMPORARY POWERS RELATED TO THE CORONAVIRUS CRISIS**

Members considered the report which provided an overview of the independent review of the IAG. DCKerr highlighted a number of key points as detailed within the paper and thanked members of the IAG for the work undertaken.

The Chair welcomed the authors of the independent review report, Simon Anderson (SAnderson) and Jen Waterton (JWaterton).

SAnderson thanked interviewees for their input and those who facilitated the process. He noted it was light touch review based on an analysis of documentation and interviews with those involved. The report draws a distinction between the notion of the IAG reassuring the public, and providing a public assurance that the pandemic was being policed proportionately and legitimately, which the IAG did very effectively. The report indicated the IAG was operated in a collaborative, constructive, responsive and transparent way, and contributed to an emerging culture and consensus on attention to human rights SAnderson summarised

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lessons learned, including: group participants maintaining independence while working collaboratively; and anticipating stress testing and difference of opinion.

JWaterton added the report is useful for Police Scotland telling the story of what has happened. She indicated further lessons learned such as Terms of Reference wording, and inclusion and contribution of group members. JWatson noted she was impressed with the range of knowledge drawn from group members.

JScott reflected on the work of the group, noting it was instructive that the instinct of policing was to embrace transparency and to have early discussions how to intensify scrutiny with a focus on human rights. JScott stressed that all members of the group take their position of independence very seriously. He stated an important part of the group was to support the production of data, noting the OpTICAL group has been a good opportunity to discuss data before it is brought to the IAG. JScott highlighted the IAG agree that policing has struck the balance between supporting those who feel there is too much enforcement and those who feel there is not enough. He emphasised the role of public support and that adherence to guidance has been high. JScott noted lessons learned go beyond policing in relation to communications and government timing on decisions and engagement. JScott thanked SPA for the secretariat support provided to the group.

LBrown stated that the contribution of the IAG is unprecedented and the SPA has been able to give a strong public platform to the views of IAG and areas of significant public interest. The SPA recognise that the IAG is not insular which the range of attendees evidences. LBrown emphasised that data provided to the IAG is unique to Scottish policing and the sharing of data was ground-breaking and should be commended. She confirmed the IAG will take the report findings on board for any future independent advisory groups. LBrown thanked SPA staff for the support provided to the group.

In discussion the following matters were raised:

- Catriona Stewart reflected on her time as a group member, but noted the review made no reference to the work done regarding collating experience of autistic people.

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- Members were informed an update would be provided to the August Authority Meeting on an exit strategy to move Operation Talla into routine policing, with further information on lessons learned.
- Members heard many IAG members are involved in other networks where lessons learned would be communicated.
- Members were advised future independent advisory groups would take into consideration lessons learned on member selection and whether they would be a representative of their own organisation, or involved to provide specialist expertise.
- Members were advised there was not a lot in the public portal that was unknown, as people tended to share their views rather than experiences, however it allowed the IAG to carry out deep dives.
- Members agreed the IAG helped ensure the Authority could scrutinise effectively during the challenging period.
- The Chair noted data and analysis collected was unique and Police Scotland providing public information daily was unusual but welcomed. The Chair noted allowing the IAG freedom to publically report was a risk that SPA and Police Scotland were happy to carry. The Chair stated he felt, from what is known, the IAG provided best practice within the UK. The Chair noted the willingness of police officers to explain what they were doing and take feedback was enormously important for a wide range of groups.

The Authority **RESOLVED** to:

- **NOTE** the report

## 10. HEALTH, SAFETY AND WELLBEING

### 10a. HEALTH AND SAFETY ANNUAL REPORT

Members considered the report which provided a strategic overview in relation to health and safety within the SPA and Police Scotland. James Bertram highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- Mary Pitcaithly (MPitcaithly), People Committee Chair, highlighted the report had improved over time and the Committee will look to focus on receiving improved analysis of data to help identify trends and themes.

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- Members paid tribute to the health, safety and wellbeing team for work undertaken over the last year.
- Members were informed work continues to improve the accident reporting module and some small internal packages had been developed to process figures.
- Members were informed a number of training courses were undertaken on an e-learning platform including fire safety. Training on areas such as manual handling have to be physical and had been paused due to Covid-19 but were to resume.
- Members were advised the SCoPE replacement model is linked to the DDICT refresh work but some investigative work is currently being undertaken.

The Authority **RESOLVED** to:

- **NOTE** the report

### **10b WELLBEING ANNUAL REPORT**

Members considered the report which provided a review of the 2020/21 wellbeing performance and activities, continued response to Covid-19 and proposals for next steps to continue to mainstream the wellbeing agenda. Jude Helliker (JHelliker) highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- MPitcaithly highlighted the People Committee will focus on whether any organisational factors impact wellbeing and how that is being managed, and whether the organisational culture has changed in relation to mental health. The Committee will also be looking for improved analysis to identify trends and themes.
- Members were informed the reduction in recruitment medicals was a skewed figure due to the significant increase of probationer intakes in 2020, in response to COP 26. Members heard recruitment medicals were initially halted due to Covid-19, however Police Scotland and Optima had worked collaboratively to ensure new ways of working and as such all probationer medicals had been carried out.
- Members were advised the staff survey had closed and results from Durham University Business School will be cascaded to senior management imminently and reported to the People Committee.

The Authority **RESOLVED** to:

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- **NOTE** the report

### **10c. PEOPLE MANAGEMENT INFORMATION DASHBOARD ANNUAL REPORT**

Members considered the report which provided an update on Police Scotland workforce as at the end of the financial year, 2020/21. JHelliker highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- MPitcaithly confirmed the People Committee found the report helpful in detailing diversity and gender equality. The Committee felt improved analysis was required as well as detail on how data can be linked with the strategic workforce plan.
- Members were assured movement is tracked daily and divisional commanders are provided dynamic dashboards. Detailed analysis on establishment levels and operational base levels are regularly reported through internal governance and the People Committee.
- Members were assured Police Scotland understand the importance of utilising mutual aid and minimising local policing extractions during COP 26. Members were informed this area would be reported to the SPA Policing of COP 26 Oversight Group.
- The Chair noted the report was clear to read, and thanked JHelliker and her team. The Chair confirmed the report would continue to be presented annually.

The Authority **RESOLVED** to:

- **NOTE** the report

### **11. POLICE SCOTLAND INTERNATIONAL DEVELOPMENT STRATEGY UNIT**

Members considered the paper which informed the Authority on the revised International Development Strategy. ACC Gary Ritchie (ACCRitchie) highlighted a number of key points as detailed within the paper. In addition to the paper, DCCKerr highlighted the following points:

- The strategy indicated a heightened sense of ambition from Police Scotland and was structured to reflect a growing appetite from across the world on the policing model in Scotland.

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- Conscious of reputational issues, there were multiple tiers of governance for non-operational overseas deployment plus a deployment business case for each request.
- Police Scotland has a longstanding relationship with the Police Research Executive Forum, and has recently been involved in escalation training which has been rolled out in several police institutions in America including the NYPD.

In discussion the following matters were raised:

- Members were assured work was based on cost recovery as Police Scotland cannot, by law, charge for this work.
- Members were informed the unit was led by a Superintendent with an additional six staff. Courses are carried out by academy staff with a small number of hours spent supporting partners. When broader programmes begin, Police Scotland will approach academic partners for help and will look to seek accreditation.
- Members were advised 200 police officers are willing to be deployed but only around 12 are deployed at any time.
- Members discussed the moral obligation to share good practice, citing the work of the Violence Reduction Unit as an example. DCC Kerr agreed Police Scotland viewed the strategy as an international corporate responsibility. DCC Kerr emphasised there was a significant international appetite to hear from Police Scotland which was mutually beneficial to enable learning.
- Members were informed there would be an evaluated framework to measure impact. While quantifying work would be difficult, the work can be qualified to put into context. Members heard positive feedback had been received but Police Scotland would look to receive independent evaluation.
- Members were advised the Overseas Security and Justice Assessment takes into account where a country stands in respect of human rights so a decision can be taken prior to any deployment. Therefore there would be times when Police Scotland would not engage with a country based on human rights.
- Members heard Police Scotland have a long standing relationship with the FBI in terms of training and operational delivery. Police Scotland would be hosting the FBI National Executive Training at Tulliallan in September 2021 which would be the first time it been held out with the USA in over a decade.

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- CCLivingstone stated the development of the organisation is indicative that Police Scotland are outward looking and making a contribution. CCLivingstone commended the work undertaken by the International Development Unit.

The Authority **RESOLVED** to:

- **NOTE** the report

*END.*

APPROVED