

**Meeting 4 September 2020 13:00 – 15:00**

**Members attending:**

John Scott QC, Solicitor Advocate (Chair)

Ephraim Borowski, Chair of the National Independent Strategic Advisory Group

Martyn Evans, SPA Board Member

Maria Galli, CYPCS

Gill Imery, HM Chief Inspector of Constabulary in Scotland (HMICS)

John Logue, Deputy Crown Agent Operational Support, COPFS

Naomi McAuliffe, Programme Director Scotland, Amnesty International

Professor Susan McVie, University of Edinburgh

Diego Quiroz, Scottish Human Rights Commission

Supt Tim Ross, Police Scotland

**Apologies:**

Bruce Adamson, CYPCS

Aamer Anwar, Solicitor and Human Rights campaigner

Tressa Burke, CEO Glasgow Disability Alliance

CS David Duncan, Police Scotland

Dr Elizabeth Kelly, NHS Scotland and Associate Carnegie UK Trust

Susan Kemp, Scottish Human Rights Commission

DCC Will Kerr, Police Scotland

ACC Gary Ritchie, Police Scotland

Brian Scott, Glasgow Disability Alliance

Dr Catriona Stewart, SWAN Scotland

**Secretariat:**

Eleanor Gaw, SPA Community Accountability

John McCroskie, SPA Director of Communications and Relationships

## **1. Welcome and introductions**

The Chair welcomed members to the meeting.

## **2. Note of previous meeting and matters arising**

Matters arising were covered in discussion of the main agenda items.

## **3. Data Update**

### **3.1 Paper from Professor McVie –**

#### **Fixed Penalty Notice: Nominal Data**

Professor McVie outlined a potential analysis of nominal data on Fixed Penalty Notices, and sought member views on whether this would add value and should be taken forward. She indicated that any comparators would be made with Annual Population Survey estimates for 2020, rather than historical census data.

While the current data analysis indicates the number of FPNs issued, it does not illustrate, for example, the number of individuals who may have received more than one FPN, or allow for any comparison of those receiving FPNs with the general population.

This work could provide insight into the experience of some groups or individuals who are seldom represented or whose voices may be largely unheard. However, as numbers for some data sets will be very low, there is potential for findings to be misleading if taken out of context. If the work is undertaken, it requires considered presentation, with appropriate caveats in place.

Professor McVie would invite Roger Halliday, Scottish Government Chief Statistician, to have one of his colleagues validate the work

Members expressed a range of views on the value and benefits of the work, the importance of transparency, and any associated risks including sample size, statistical validity, the potential for misrepresentation, and the extent to which the work would add value or clarify understanding of the impact of FPNs. The role and track record of the IAG in effectively framing this type of work, so it is not misrepresented, was emphasised.

The Chair indicated that the majority of the group at this point appeared to wish to proceed. He asked all members to consider the matter further. It will be discussed in more detail at OpTICAL on 7 September, and the group will review at its meeting on the 11 September. If the work goes ahead, findings will be presented to the SPA Board 25 November.

#### **Action:**

The Chair will raise at OpTICAL meeting

All members to consider further, ahead of IAG meeting 11 September

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**Proposal for Linkage of Fixed Penalty Notice Data to Courts Data**

Members supported the proposal to take forward a piece of analytical work linking Police Scotland FPN data with Courts Data on FPNs. This will provide a more accurate picture of the use of FPNs in Scotland, removing any tickets not progressed or rescinded, from overall numbers, and it will provide a more accurate data set for Scotland which is comparable with data for England and Wales.

It was agreed that this should be progressed and prepared for report to the SPA board 25 November 2020.

**Action:** Professor McVie will take forward, via OpTICAL and with SCTS.

3.2 Citizen Space

A further 10 responses have been received this week. There are as yet no responses from anyone under 18.

	3 Sept	28 Aug
Responses	86	76
% with police contact	29	26
<b>Views on policing -</b>		
opinion unchanged	58	52
opinion worse	10	9
opinion better	14	11
Age Group (most responses)	55-64 (30)	55-64 (25)
Male/Female	40/42	33/39
BAME respondents	no change	no change

Members requested that if possible, analysis of response by postcode be made available, especially to understand if responses are from areas affected by local lockdowns.

**Action: Secretariat**

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The Chair asked members with local networks and community contacts in Glasgow, East Renfrewshire, and West Dunbartonshire to try and promote the portal again locally, to canvas any views on the impact of the most recent restrictions, and indicated that he would get in touch with those most relevant who were unable to attend today's meeting.

### **Action: IAG members and Chair**

#### **4. AOCB**

- Public feedback sent to the IAG mailbox had been circulated to members. The Chair is following up on this input, and has scheduled discussions with one respondent and offered a discussion to another.
- The new guidance issued across Glasgow, East Renfrewshire and West Dunbartonshire was discussed. This is guidance rather than regulation, so has not had a significant impact on enforcement at this point. However, the challenge for policing of any restriction or potential regulation which impacts on private rather than public space was highlighted.

**Action:** The Chair will liaise with DCC Kerr to get an update briefing for members from Divisional Commanders on the impact of new guidance in the west.

- The high profile house party breach of regulations in Midlothian was referenced. Members agreed to seek more information on the circumstances in which a more severe financial penalty would be imposed, beyond an FPN.
- Parliamentary discussions on FPNs and face coverings were noted. The Chair indicated this is an issue he will reference in his report to the September SPA board.
- Justice Sub Committee discussions on PPE for officers, and HMICS officer interviews, were discussed. It was agreed that access to PPE is outwith the IAG Terms of Reference, and others are taking this work forward. The Chair will write to the Committee clerk to provide clarification on this point.
- Naomi highlighted the potential concerns around the increase in personal surveillance linked to Coronavirus measures, with the development of contact tracing apps and discussions on use of ID cards.
- Maria highlighted the CYPCS submission to Parliament, ahead of renewal of Coronavirus legislation.
- IAG/ SPA Webinar. This is provisionally scheduled for 5 October 2020, 14:00 – 16:30, to offer a chance for more detailed consideration than would be available at the September SPA Board.

#### **5. Date of Next Meeting**

Friday 11 September 13:00 – 15:00

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