

**Meeting 18 December 2020 13:00 – 15:00**

**Members attending:**

John Scott QC, Solicitor Advocate (Chair)

Superintendent Ann Bell, Police Scotland

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)

Dr Elizabeth Kelly, Associate Carnegie UK Trust

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

Brian Scott, Glasgow Disability Alliance

Dr Catriona Stewart, SWAN Scotland

**Apologies:**

Bruce Adamson, CYPCS

Aamer Anwar, Solicitor and Human Rights campaigner

Tressa Burke, CEO Glasgow Disability Alliance

Susan Kemp, Scottish Human Rights Commission

DCC Will Kerr, Police Scotland

ACC Gary Ritchie, Police Scotland

**Attending for Item 2**

Chief Superintendent Alan Murray

Chief Superintendent Sean Scott

Chief Superintendent Andrew Todd

**Secretariat:**

Jennifer Blackwood, SPA

Eleanor Gaw, SPA

Fiona Miller, SPA

**1. Welcome and introductions**

The Chair opened the meeting. He welcomed Divisional Commanders Chief Superintendent Alan Murray, Chief Superintendent Sean Scott and Chief Superintendent Andrew Todd, attending to discuss the range of issues facing local policing teams related to the impact of the pandemic, and in the weeks ahead.

**2. Divisional Commanders Local Policing Teams**

The Divisional Commanders provided an update on the issues facing each their local policing teams as well as the more general issues associated with policing during the pandemic.

Chief Superintendent Scott, City of Edinburgh, highlighted the value of engaging in the work of the OpTICAL Group. He particularly referenced the analytical work undertaken by Professor McVie in supporting policing's understanding of the impact of policing the pandemic and proportionate response.

Key themes from wider discussions included

- There is a correlation between those receiving more than one FPN and those already known to police and the justice system.
- Particular locations can provide a locus for individuals gathering in breach of the regulations, resulting in multiple individuals receiving FPNs at one location.
- High levels of deprivation tend to make it much harder for people to comply with regulations.
- The number of FPNs issued to an individual on more than occasion is very low, and those who are not complying with regulations are often dealing with multiple issues.
- Support pathways and local partnerships are routinely utilised, to ensure support and care packages are set up for individuals where appropriate.
- Capacity and capability around child and adult protection services has been sustained locally throughout the pandemic, by police and partners.
- Overall policing capacity and capability remains unchanged, but right now service delivery may look and feel a little different to support Covid-19 priorities and safety measures.
- The importance of empowering officers and the need for discretion in working through the 4 Es.

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A number of issues including Hogmanay celebrations, secure vaccine storage, Brexit, seasonal sports fixtures, winter weather, changing public opinion and protests, all have the potential to create additional pressure on Police Scotland's resources. The 4E's approach will remain in place.

Divisional commanders confirmed that they have regular contact with local authority elected members, over and above local scrutiny meetings, and that local authority members are very supportive of local policing. Engagement with universities has also been positive. Some media reports of student breaches of regulations appear to have been overstated.

Divisional commanders particularly highlighted the importance of the work of local Chief Officers' Groups, Community Planning Partnerships, Public Health Incident Management Teams and Local Resilience Partnerships, with many officers participating in several of these groups.

Whilst the pandemic is a significant issue for local policing teams, the commitment to combat criminal activity in communities remains unchanged. It was noted that for many people who feel unsafe, the pandemic may not be the primary or most immediate threat to their safety.

The group discussed the policing of protests, including Police Scotland policy and a paper from Professor David Mead, Policing Protest in a Pandemic, which had been circulated to members.

The Chair referenced the use of discretion to maintain public safety, for example at Parkhead, where a crowd had been allowed to dissipate naturally, but with action taken at a later stage to deal with offences.

Chief Superintendent Murray referenced his work as a Tactical Public Order Commander, and the importance of a proportionate and practical response to ensure the safety of officers and those protesting, and to support freedom of assembly.

It was noted that the rights of individuals and public safety measures can be supported with good communication with organisers, and by ensuring any conditions imposed are implemented.

Naomi McAuliffe asked that some consideration be given to exploring differences in practice, and to communicating the rationale for decisions on which demonstrations are allowed to go ahead.

Overall, Police Scotland indicated that the 4E's approach has strengthened officers' confidence in the appropriate use of discretion, and contributed to improving public confidence.

The Chair thanked the Divisional Commanders for their contribution.

### **3. Note of the previous meeting and matters arising.**

- The next IAG meeting will be held on 8 January 2021, and the group will meet weekly throughout January.
- The Chair confirmed that, following discussion with the SPA Interim Chair David Crichton, there will be a fuller IAG report to the SPA board

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on 22 January. The Data report however will be presented separately at the SPA board 24 February.

- The next meeting of the OpTICAL group is 7 January 2021.
- Invitations to contribute to IAG meetings in January / February 2021 have been issued to British Transport Police and Dr Liz Aston, SIPR.
- Professor David Mead, University of East Anglia, will attend an IAG meeting in January to discuss policing of protests, and his paper "Policing Protest in a Pandemic".
- It was agreed that the group would formulate recommendations to the SPA, for inclusion in the IAG report to the SPA Board March 2021.

**Action: Chair / IAG Members.**

**Secretariat** to include in agenda planning.

### 4. Data Update

Professor McVie briefed members on work underway, and the SCTS / Police Scotland data matching process.

To date 4,082 tickets have been matched, and a small number remain to be checked.

Overall, enforcement is around 7 % of policing activity within the 4Es approach. From November onwards a higher number of FPN's were issued on Fridays and Saturdays, coinciding with tightening of restrictions, although arrest numbers remain small.

A draft data paper has been shared with OpTICAL, and, following approval, Susan will circulate this to the group for consideration on 8 January 2021.

**Action: S. McVie/ Secretariat**

No additional Citizen Space entries have been recorded.

### 5. AOCB

- Research Proposals  
Dr Liz Aston had been in touch to request members consider any areas of research that could be undertaken by SIPR. Further discussion on this will be scheduled for January.  
**Action: Secretariat / agenda planning**
- Professor McVie has requested a presentation be shared with the group in January, from the "Scotland Under Lockdown" event held 17 December 2020.

### 6. Date of Next Meeting

8 January 2021 13:00 – 15:00

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