

Meeting 19 March 2021 13:00

Members attending:

John Scott QC, Solicitor Advocate (Chair)

Ephraim Borowski, Chair of the National Independent Strategic Advisory Group

Tressa Burke, CEO Glasgow Disability Alliance

Maria Galli, Children and Young People's Commissioner Scotland

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

Chief Superintendent Linda Jones, Police Scotland

Dr Elizabeth Kelly, Associate Carnegie UK Trust

Naomi McAuliffe, Programme Director Scotland, Amnesty International

Professor Susan McVie, University of Edinburgh

Diego Quiroz, Scottish Human Rights Commission

Assistant Chief Constable Gary Ritchie, Police Scotland

Dr Catriona Stewart, Scottish Woman's Autism Network

In attendance for agenda items 3 and 4

Professor Cliff Stott, Professor of Social Psychology, University of Keele

Superintendent Joyce Greenhorn, Police Scotland

Assistant Chief Constable Alan Speirs, Police Scotland

Chief Superintendent Mark Sutherland, Police Scotland

Apologies:

Bruce Adamson, Children and Young People's Commissioner Scotland

Deputy Chief Constable Will Kerr, Police Scotland

Barry Sillers, Deputy Chief Executive, Strategy and Performance, SPA

Secretariat:

Jennifer Blackwood, SPA

Deborah Christie, SPA

Eleanor Gaw, SPA

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1. Welcome and introductions

As the IAG Chair had been delayed, Susan McVie chaired the start of the meeting and welcomed attendees. Apologies were noted from Bruce Adamson, DCC Kerr and Barry Sillers. The Chair joined the meeting during agenda item 3.

2. Note of the previous meeting and matters arising

The group noted the minute of the meeting held on the 12th March 2021.

3. Update from Police Scotland and group discussion on the policing of public gatherings.

ACC Speirs provided a brief overview of the current policing response to protest during the pandemic and explained that the very specific guidance being given to officers had not changed. The approach remaining a proportionate response whilst acknowledging the rights of the individual to protest. Recognising that numerous and varied gatherings and protests had taken place in recent weeks, the focus for Police Scotland had remained the reinforcement of the regulations put in place by Scottish Government, whilst recognising the right to protest. The group was assured that the guidance would continue to be monitored in the coming weeks and the overall aim of Police Scotland would remain to facilitate a proportionate policing response if necessary.

Chief Supt Mark Sutherland advised that a significant number of complaints/correspondence regarding the policing of the gatherings following Rangers victory in the league, had been received shortly after the incidents. However it was believed the contextual information put into the public domain by Police Scotland had meant that few further complaints had been received.

An update was provided on the policing response to gatherings in Kelvingrove Park on St Patricks Day. It was noted that a high level of compliance and the use of the 4 Es approach, had led to the crowds being successfully dispersed by Police Scotland officers.

Chief Supt Mark Sutherland provided a summary of the approach being taken to prepare for the upcoming Old Firm game scheduled to take place, at Celtic Park on the 20th March. The group heard that, as this was a planned event, the strategic planning was able to take cognisance of several pre-determined factors (e.g. fixed kick off time, known venue). The group heard that strong partnership working had been seen between Police Scotland and both Rangers and Celtic Football Clubs, with clear messaging having come out of both clubs to urge fans to stay at home. It was confirmed that a robust policing plan was in place for the match.

The Chair thanked ACC Speirs and Chief Supt Sutherland for their updates.

John Scott updated the group that, as agreed at the last meeting, a letter to the Scottish Police Authority Chair regarding football related policing in Glasgow on the 6/7 March had been drafted and shared with the group, with suggested refinements gratefully received. In summary of the letter contents John Scott advised the conclusion of the group was that the events had been well policed, and took into account the relevant human rights principles and laws.

The group explored the difference in the approach taken by Police Scotland and the Met Police during recent events. The group heard that children's rights

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within protests had been considered as part of the planning, and advised that the prevalence of women and children was more of a consideration for Police Scotland during the gatherings outside Ibrox Stadium and the early stages of the George Square incidents. Children were absolutely factored into the decisions around use of force, moving towards dispersal, and the impacts of that from a safety point of view rather than specifically a children's rights point of view.

Clifford Stott reflected on the recent events in Glasgow and the policing response to the gatherings, and reflected that the considerations in respect of the policing response sat very favourably in terms of a proportionate human rights based position. However, this was a complex matter given the challenging landscape in Glasgow with regards to football, as it is so closely linked with religious and community identities for some.

Prof Stott suggested that the upcoming Old Firm match was a different type of event to what had occurred previously, with the assumption that similar levels of disruption were not necessarily legitimate as the match is a regular occurrence in Glasgow which is part of the BAU for Police Scotland.

Recognising the difference in policing approaches taken by Police Scotland and the Met, Prof Stott shared his thoughts on the Met response to the vigil in London. He invited the group to consider the core goals of the British Policing model; to protect life and to maintain public trust and confidence in policing i.e. 'legitimacy', and highlighted some of the challenges that brought given the subjective nature of legitimacy. Prof Stott suggested that there was a strong need to maintain as much legitimacy as can be factored into the future approaches to policing in communities, to avoid long term issues because of failures made during the policing of the pandemic. With this in mind, Prof Stott commended the Police Scotland approach to policing the events at George Square, adding that while there are always lessons to be learned, a robust position was taken in relation to the management of the event.

In response to a question seeking clarity on what approach was being taken by Police Scotland to engage with protestors before events, ACC Speirs explained that a challenge faced was that, at present, it could be difficult to identify the leaders. He explained that Police Scotland will continue to engage with the purpose of firstly dissuading the organisers of the events from going ahead with the event, and also to clarify the restrictions and possible implications. ACC Speirs clarified that it has been much more difficult to police protests during the pandemic given the lack of willingness for some organisers to meaningfully engage pre event. Supporting this view, Clifford Stott agreed that the ambiguity of the legislation added to the challenges in this area, especially given the potential criminal liability of organisers.

Ch Supt Mark Sutherland explained to the group that there were 3 primary engagement opportunities from an operational perspective for football events these being; Police Liaison Officers who work directly with clubs, Football Spotters - trained officers who support the policing of football matches, and dedicated Football Officers who work to link in with supporters.

It was agreed that further revisions and proposed changes would be considered over the weekend and the final draft of the letter would be agreed by Monday.

Action – John Scott/Secretariat

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Any additional comments on the draft letter from IAG to SPA Chair to be fed in through secretariat no later than Sunday evening to allow the letter to be finalised for publication on the SPA website as part of the papers for the Board meeting on the 24th March.

John Scott left the meeting and Susan McVie took over as Chair.

4. Planning for policing the easing of lockdown, and the 3 Nations experience

ACC Speirs explained that over the past weeks and months, there had been a steady demand in terms of non-compliance, indoor gatherings and breaches of regulations. It was reported that the demand being placed on Police Scotland this side of Christmas has been far greater than before Christmas, and demand remains high.

The group heard that somewhere in the region of 400-700 incidents per week were resulting in Fixed Penalty Notices and that, since the vaccine roll out, an increasing number of breaches had been identified among older age groups.

ACC Speirs explained that the upcoming planning focus for Police Scotland will be the key dates on the route map to ease lockdown, the 4th and 27th April and 17th May, when it is expected to see increases in demand as restrictions are lifted. The group noted that it remained the expectation of the ACC that challenges will continue in the coming weeks as the restrictions change.

Superintendent Joyce Greenhorn provided an overview of the discussions that have taken place at the NPCC Civil Contingencies meeting which is attended by the 4 nations and some international representatives to provide strategic oversight of any key matters, and provided an opportunity to raise any emerging issues or concerns. The group was updated that there was a similar experience across England, Wales and Northern Ireland, and the differences tended to be linked to differing legislations/regulations and the confusion being caused to the public in that regard. Visitor management issues have been explored in light of the planned easing of lockdowns, and this will continue to be a focus at future meetings. It was confirmed there is a strong willingness to share experiences and learning between the 4 nations' Police forces to ensure as much benefit as possible from the joined up approach.

In response to a question regarding the consistent application the 4 Es approach across the 4 nations, ACC Speirs explained it was not easy to make meaningful comparisons between Police Scotland and other UK forces as there is no comparable sized force.

Susan McVie suggested there is increasing evidence that, while an initial attendance by Police may be due to a Covid breach, the resulting policing intervention is often BAU and this may make it difficult to monitor the true impact on policing going forward. It was suggested this may be an area that the group could consider at a later date. The group agreed there was a need to ensure the context of policing interventions was considered as part of any work to evaluate.

The group explored whether Fixed Penalty Notices were more prevalent across the UK in areas of deprivation, and it was noted this had not been a trend identified from a UK perspective at the UK meetings.

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5. Data Update - OpTICAL Update/ Citizen Space

Susan McVie updated the group on the recent meeting of OpTICAL and reported that Ch Supt Roddy Newbigging had attended to give an overview of the impacts from introduction of the new online reporting tool. This had increased the expected number of contacts made with Police Scotland significantly. It was noted that surges were seen, coinciding with changes in restrictions. The OpTICAL group had explored impacts on C3, seen from the recent football related events in Glasgow, and had considered the latest data and discussed the emerging trends.

Ch Supt Linda Jones updated the group on the preparation for the Police Officer interviews, and confirmed that activity had focused on agreeing the approach and the final set of questions. It was confirmed that the target date remained the end of April and a further update will come back to this group in due course, at which point IAG members would have the opportunity to comment.

An update was provided that there had been no significant additional volume via the Citizen Space platform since last update, with one additional response received.

6. AOCB

It was noted that John Wadham had agreed to attend next week's meeting.

Date of next meeting

Friday 26 March 2021 – 13:00 – 15:00