

JUSTICE SUB-COMMITTEE ON POLICING
POLICING DURING THE CORONAVIRUS PANDEMIC
WRITTEN SUBMISSION FROM SCOTTISH POLICE AUTHORITY

This submission summarises the Scottish Police Authority's (SPA) approach, since March 2020, to the governance and oversight of policing during the coronavirus pandemic. It is submitted ahead of the Justice Sub-Committee on Policing's committee session scheduled for 27 August 2020 on policing during the coronavirus pandemic.

Governance and accountability of policing during COVID-19 pandemic

In March 2020, unprecedented restrictions were placed on the whole population to limit the spread and impact of the COVID-19. In response to these extraordinary circumstances and the introduction of untested police powers, the Authority committed to continuing to exercise its responsibility to provide effective and transparent governance and oversight of policing during the emergency. The Authority promptly published its [Strategic Approach to the Oversight of Policing during COVID-19](#)¹ alongside a [timeline of the Authority's planned governance through to September 2020](#)² explaining how we would do this.

Despite the significant initial challenges of moving to remote working, the Authority has effectively met all of the commitments and planned cycle of business set out in March and with the same high level of transparency demonstrated over the past two years. All scheduled Authority and Committee meetings have met with the public sessions now streamed live allowing the public and stakeholders to continue to see and hear the Authority's oversight of policing. A dedicated COVID-19 Authority meeting was also convened in April as an additional public session focused entirely on policing's response to the current emergency. I believe this level of continued business and transparency stands comparison with any other public body and is testimony to the hard work and commitment of Members and staff during such a challenging time.

In addition to formal governance meetings covering issues such as workforce health and safety, wellbeing, procurement, finance, custody visiting and the continued provision of Forensic Services, members have been kept up to date with emerging issues through regular briefings and statistical bulletins. Police Scotland and Forensic Services are also providing reports on specific matters which require Authority awareness and scrutiny between meetings. In the interests of transparency, the information provided in these briefings is also published on our website in a section dedicated to the [SPA's oversight of policing COVID-19](#)³. This section of our website aims to make the Authority's oversight of policing during this period as easy to follow and as accessible as possible.

During this period we have also increased the frequency of communication to those we work with most closely, including Parliamentary Committees, Scottish

¹ <https://www.spa.police.uk/spa-media/uu2n0rt0/spa-covid-19-strategy-on-a-page.pdf>

² <https://www.spa.police.uk/spa-media/wnpdivzv/spa-planned-covid-19-oversight-april-sept.pdf>

³ <https://www.spa.police.uk/strategy-performance/oversight-of-policing-covid-19/>

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Government, HMICS, COSLA, local authorities, custody visitors and of course Police Scotland.

Independent Custody Visiting Scheme

While face to face visiting by independent volunteers through the Authority's Independent Custody Visiting Scheme (ICVS) was suspended at the point of lockdown, and there has been a very significant reduction in the volume the throughput of individuals entering police custody, the SPA's ICVS team have continued to oversee the welfare of those held in police custody by monitoring detainee records in line with other schemes in the UK. On 1 June 2020, a telephone monitoring process was set up as a further step back towards business as usual to enable custody visitors to speak with detainees to ensure their care and welfare.

The ICVS team have established a critical path for ICVS returning to business as usual, based on the phases of the Scottish Government's route map out of lockdown. The team are aiming to resume face to face visits by phase 4 of Government plans. The ICVS team has conducted further survey work of the visitor community to determine an 'available visitor complement' for recommencement. We are pleased to advise that over 50% (more than 70 out of 130 to date) are able and willing to start, the majority of which are long standing volunteers which is a testimony to their commitment to the welfare of detainees and the scheme. Reports highlighting this continuing input of custody visiting to the welfare and rights of those in custody have continued to be provided to the [SPA's Policing Performance Committee](#)⁴ and the most recent [full Authority meeting](#)⁵.

Independent Advisory Group

The Authority's oversight has been enhanced over this period through the insight provided through regular reports from the Independent Advisory Group (IAG) reviewing Police Scotland's use of new temporary police powers related to coronavirus. The Group, chaired by John Scott QC, reports directly to the Authority, as the governance and oversight body for Police Scotland, adding an additional layer of independent assurance to our work during this time. The IAG has now submitted detailed reports on three occasions to public sessions of the Authority meetings and hosted a dedicated [IAG Webinar](#)⁶ where key findings were discussed in more depth by interested parties in a public forum.

While the group is independent of the Authority, its secretariat is provided by the SPA and information about the IAG, its Terms of Reference, membership, meeting notes and public reports are all readily accessible from a section on the SPA's website dedicated to the work of the Independent Advisory Group reviewing [Police Scotland's use of new temporary police powers in relation to coronavirus](#)⁷.

⁴ <https://www.spa.police.uk/spa-media/uffitott/rep-c-20200521-item-6-2-spa-icvs-v2-0.pdf>

⁵ <https://www.spa.police.uk/spa-media/uffitott/rep-c-20200521-item-6-2-spa-icvs-v2-0.pdf>

⁶ <https://www.spa.police.uk/strategy-performance/independent-advisory-group-coronavirus-powers/public-webinar/>

⁷ <https://www.spa.police.uk/strategy-performance/independent-advisory-group-coronavirus-powers/>

Independent polling on public attitudes to the policing of lockdown

In addition to formal governance, regular briefings and reports from the IAG, the Authority's oversight and assurance has been further informed by insight gathered from independent polling commissioned by the Authority to measure public attitudes to the policing of the lockdown period. The data, findings and full analysis of these surveys have been considered in public forums by the Authority and made available on the [SPA's oversight of policing COVID-19](#)⁸ section of our website. I would draw the Committee's attention specifically to the independent analysis published by the Authority in June summarising the findings of the two rounds of public polling which captured the public's views of policing during this period: [Policing Lockdown: The Public's View](#)⁹

Authority's initial view of policing in a pandemic

The Authority has made significant efforts to adopt a comprehensive and meticulous approach to its oversight of policing during this pandemic. We have sought to identify the challenges and risks policing would face during the emergency, providing appropriate levels of oversight while also providing the support which the service needed and deserved.

In June, as Scotland moved out of the initial lockdown phase, I reported on the Authority's work over the lockdown period and our assessment of the service's response during it. At the time, the Authority concluded that the approach and impact of Police Scotland during the immediate period of lockdown has been outstanding. You can read the [Authority's initial assessment of policing during lockdown](#)¹⁰ from our website. Since then, members continue to be reassured with input from the IAG that Police Scotland's approach remains proportionate. While there are no doubt lessons to be learned from this ongoing period, there is a genuine commitment from all of those involved in policing during this pandemic to learn and improve. The Authority is grateful to the officers and staff for their commitment, adaptability and sensitivity during this most testing of times.

The COVID-19 emergency is not over and the gradual unlocking of restrictions has presented new challenges for policing as regulations and advice continue to change. However, I can give the Committee assurance that the support and oversight role of the Authority will continue adapting to suit these changing circumstances.

David Crichton

Interim Chair
Scottish Police Authority
21 August 2020

⁸ <https://www.spa.police.uk/strategy-performance/oversight-of-policing-covid-19/>

⁹ <https://www.spa.police.uk/spa-media/yygpntao/june-2020-policing-lockdown-report.pdf>

¹⁰ <https://www.spa.police.uk/spa-media/efhez0ne/rep-b-20200623-item-2-vice-chair-s-report.pdf>