

Meeting	Authority Meeting
Date	25 August 2022
Location	Technology and Innovation Centre, Glasgow
Title of Paper	SPA Chief Executive's Report
Presented By	Lynn Brown, Chief Executive
Recommendation to Members	For Discussion and Approval
Appendix Attached:	Yes – Forensic Toxicology Oversight Group Terms of Reference

PURPOSE

To update Authority Members on activities carried out by the Chief Executive since the last Authority Meeting.

Members are recommended to consider this report and to raise any matters for clarification or further detail with the Chief Executive.

Members are asked to approve an update to the Terms of Reference for the Forensic Toxicology Oversight Group as included at Appendix A.

1. Background

- 1.1 This report provides Members with an update on key Authority business not already covered elsewhere on the agenda.

2. Police complaints, investigations and misconduct – a consultation on legislative reform

- 2.1 The Authority has submitted a response to the legislative consultation on the recommendations of Dame Elish Angiolini's Independent Review of Police Complaints Handling, Investigations and Misconduct Issues in Relation to Policing, published in November 2020.
- 2.2 The Authority's response was developed by a small team of staff who have also been attending meetings on the consultation held by Scottish Government officials.
- 2.3 The developing response was reviewed and informed by a group of members consisting of the Chair, Vice Chair, Alasdair Hay and Prof Fiona McQueen (as respective chairs of the Complaints and Conduct, and People Committees). Prof Fiona McQueen also attended a meeting of the Scottish Police Consultative Forum held to discuss the consultation.
- 2.4 The Authority will continue to engage with Scottish Government officials and partner agencies throughout the legislative process.

3. Resource Spending Review

- 3.1 In my June 2022 report I highlighted the Scottish Government's Resource Spending Review and the significant implications of a flat cash settlement on policing.
- 3.2 Staff across Police Scotland and the Authority have been modelling a range of potential financial and operational implications on the service. Budget Development discussions are taking place involving key members to consider the future challenges and priorities.

4. HMICS Assurance Review of Police Scotland Strategic Workforce Planning

- 4.1 HMICS published their [Assurance Review](#) on Police Scotland's Strategic Workforce Planning on 2 August 2022. The Authority welcomed publication of the report and its recommendations. The People Committee will consider the review report and discuss the recommendations at their next meeting on Wednesday 31 August 2022.

5. Forensic Toxicology Oversight Group

- 5.1 The Authority approved the establishment of a Forensic Toxicology Oversight Group on 24 July 2022. The oversight group met for the first time on the 4 August 2022.
- 5.2 The group will provide enhanced oversight and scrutiny of three key areas of identified risk which are critical to the effective operation of Forensic Services and to its support for the wider justice sector in Scotland.
- 5.3 The three areas are Post-Mortem Toxicology transition and implementation; processing of drug driving tests; and responding to incidents of spiking.
- 5.4 At its first meeting, the Oversight Group requested one specific addition to its Terms of Reference, to include the impact of cases reaching their statutory limit due to delays in testing and analysis, on public confidence and public safety. The revised Terms of Reference with this additional point are attached at appendix A for members' formal approval.
- 5.5 The group is chaired by Paul Edie, Chair of the Forensic Services Committee. Members include Grant Macrae, Katharina Kasper, and Alasdair Hay; Police Scotland; SPA officials and Forensic Services. HMICS and COPFS have been invited to attend and observe discussions.
- 5.6 I am grateful to members, officers and partners for supporting the establishment and first meeting of this group at relatively short notice, to strengthen our governance and oversight of this business critical work

6. Strategic Police Plan – Review/Refresh

- 6.1 The Police & Fire Reform (Scotland) Act 2012 requires the Authority to review the [Strategic Police Plan](#) every three years. Work is currently progressing to review and refresh the Strategic Police Plan by the end of March 2023.
- 6.2 A joint SPA/Police Scotland team have undertaken an extensive evidence based review of delivery against the 2020 Strategic Police Plan and have conducted horizon scanning underpinned by the current strategic assessment to identify emergent themes which will be enhanced in the revised strategy. The highlights of this work have been shared with key stakeholders including Local Authority Chief Executives, COSLA, HMICS, Audit Scotland and the Scottish Government to invite their feedback on the initial review.
- 6.3 Following feedback, the revised strategic police plan will be considered by Members later this year before formal consultation and then submitted to Scottish Ministers early next year.

7. Independent Custody Visiting Scheme – 2021/22 Annual Report

- 7.1 The Authority has published its [Independent Custody Visiting Scheme - Annual Report 2021/22](#).
- 7.2 The Authority has a statutory duty to maintain and manage an Independent Custody Visiting Scheme (ICVS) to monitor the welfare of people detained in police custody facilities throughout Scotland.
- 7.3 The 2021/22 Annual Report highlights the activities, insights and independent assurance provided by the Independent Custody Visiting Scheme. The scheme is delivered by 102 independent volunteer custody visitors, working across Scotland, who are supported by a small team of staff.
- 7.4 The report highlights that during 2021/22, visitors did not identify any issues or breaches of the United Nations standards for upholding human rights.
- 7.5 The work of the ICVS is sponsored by our Vice Chair Jane Ryder and I am grateful for her continued input and support of the scheme.

7.6 I would also extend my thanks to all the visitors who work on the scheme. Their observations are a key avenue of assurance for the Authority and are helping to identify and influence improvements in the operation of custody across Scotland.

RECOMMENDATIONS

Members are invited to discuss the contents of this report.

SCOTTISH POLICE AUTHORITY

TERMS OF REFERENCE – Forensic Toxicology Oversight Group

PURPOSE AND SCOPE

The SPA Forensic Toxicology Oversight Group will provide enhanced oversight and scrutiny of three key areas of identified risk in services which are critical to the effective operation of Forensic Services and to its support for the wider justice sector in Scotland.

These are: Post-Mortem Toxicology transition and implementation; processing of drug driving tests; and responding to incidents of spiking. Consideration will include related service costs and resource management, risk management measures, changes in service demand, capital investment and revenue implications.

The group will consider -

- The ongoing transition and successful implementation of Post-mortem Toxicology Services from Glasgow University to SPA Forensic Services;
- Short term improvement actions for drug driving related testing, to minimise and then eliminate cases failing to proceed to prosecution within the statutory period due to unmet demand in Forensic Services;
- **The impact of cases reaching their statutory limit due to delays in testing and analysis on public confidence and public safety;**
- The development and delivery of a long-term sustainable model for drug driving related testing and reporting services, which meets projected demand and can support all foreseeable future requirements;
- Delivery and forward planning to meet demand and report performance relating to incidents of spiking;
- Related risk, service costs and resource management, changes in service demand, capital investment and revenue implications.

WORK PROGRAMME

The Oversight Group will review and seek to ensure:

- Forensic Services is fully ready to deliver Post-mortem Toxicology Services in line with agreed plans for transition;
- The transition of Post-mortem Toxicology Services results in all appropriate performance metrics being consistently achieved;
- Risks to the transition and ongoing business model for post-mortem toxicology are regularly reviewed and effectively addressed;
- Post-mortem Toxicology Services perform effectively in the new business as usual model, post transition;
- Effective plans are in place to deliver both short term improvement, and a long term delivery model, for drug driving related services;
- Effective processes and resources are available to meet demand related to spiking incidents and to demonstrate performance;
- Progress and performance against planned improvements are regularly tracked and reported, and effective risk management and mitigation is in place;
- Effective resource management is in place;
- Staff, stakeholders and partners continue to be effectively engaged and involved.

ATTENDEES AND SECRETARIAT

- The group will be member led and attended by SPA and Police Scotland. HMICS, COPFS and Scottish Government will be invited to attend as observers.
- Secretariat support will be provided by SPA Board Services.

FREQUENCY OF MEETINGS AND REPORTING

The Oversight Group is a short life working group, and will meet until transition of Post-mortem Toxicology Services is complete and embedded in business as usual; and members are assured that there is a sustainable model for Forensic Services Drug Driving, and incidents of spiking.

REPORTING

The Oversight Group will report to the Forensic Services Committee.

MEMBERSHIP

Paul Edie, SPA Board Member, and Chair of the Oversight Group

Alasdair Hay, SPA Board Member

Katharina Kasper, SPA Board Member

Grant Macrae, SPA Board Member

Lynn Brown, SPA CEO

Barry Sillers, SPA Deputy Chief Executive Strategy and Performance

Fiona Douglas, Director of Forensic Services

Vicki Morton, Chief Operating Officer, Forensic Services

Police Scotland representative

In attendance -

Representative from Scottish Government

Representative from COPFS

Representative from HMICS