

Meeting 11 September 2020 13:00 – 15:00

Members attending:

John Scott QC, Solicitor Advocate (Chair)

Bruce Adamson, CYPCS

Ephraim Borowski, Chair of the National Independent Strategic Advisory Group

Martyn Evans, SPA Board Member

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

ACC Gary Ritchie, Police Scotland

Dr Catriona Stewart, SWAN Scotland

Apologies:

Aamer Anwar, Solicitor and Human Rights campaigner

Tressa Burke, CEO Glasgow Disability Alliance

Maria Galli, CYPCS

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

Dr Elizabeth Kelly, NHS Scotland and Associate Carnegie UK Trust

Susan Kemp, Scottish Human Rights Commission

DCC Will Kerr, Police Scotland

Brian Scott, Glasgow Disability Alliance

Secretariat:

Fiona Miller, Community Accountability

John McCroskie, SPA Director of Communications and Relationships

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Attending for agenda item 2

Chief Superintendent Faroque Hussain, U Division - Ayrshire

Chief Superintendent Alan Murray, K Division - Renfrewshire & Inverclyde

Chief Superintendent Mark Sutherland, G Division - Greater Glasgow

1. Welcome and introductions

The Chair welcomed members to the meeting.

2. Local Policing Update

The Chair welcomed Chief Superintendents Faroque Hussain, Alan Murray and Mark Sutherland to the meeting, he outlined how the IAG had over recent weeks spoken to a number of Divisional Commanders and were keen today to hear about local policing in each of their areas. The Chair highlighted that, as several areas had recently entered into local lockdowns and new regulations were soon to be introduced nationally, members were keen to be updated on what was happening locally.

Each of the Divisional Commanders spoke about their own area, highlighting a number of issues. Generally the 4E's was still the main focus of engagement for local officers with enforcement used when all other avenues have been exhausted. At present, overall public compliance is still high, however, expectation of action against those who are not adhering to restrictions appears to be increasing. Superintendent Hussain highlighted that, in Ayrshire, Fixed Penalty Notices are generally issued between 10pm and 3am, with approximately fifty percent of tickets issued relating to public space incidents. All spoke about how they worked with partners, particularly in relation to vulnerable individuals, and how important this element of their work was. Policing during the pandemic was discussed in relation to balancing the Covid 19 legislation along with other legislation to ensure consistency of policing delivery.

The Chair thanked the Divisional Commanders for attending and providing an insight into the challenges facing officers policing in local communities, he invited members to comment or ask questions.

Members asked a number of questions including

- The need for consistent messaging to be maintained whilst managing public expectation, with some members of the public of the view that officers are either not doing enough and some that they are doing too much. The potential for different ways of messaging targeting specific groups in communities was also discussed. It was confirmed that the timing of the third wave of the SPA public survey had not been agreed.
- The Children's Commissioner raised the issue of the age of the young people that, in particular, the press had focussed on recently when highlighting groups of young people at house parties etc. It was confirmed that, although the overall picture is mixed, in the main the age group

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involved were primarily over nineteen and the socialising that was being reported was happening as an alternative to attending clubs. The younger age group tend to socialise more after school. The issue of students returning to campuses across Scotland was highlighted, with many having committed to accommodation, and, although learning may now be on line, they would be travelling to various locations across the country.

- The issue of policing protests during the pandemic was discussed with regard to the new regulations and the additional complexities that this will bring, with more than six people meeting now being unlawful if from more than two households. Police Scotland officers stated that they are required to apply the law consistently and be aware of the potential change of public attitude towards this type of event with the balance between public safety and public health maintained.
- John McCroskie reported that last week he had attended the COSLA national meeting of local scrutiny leads, comprising elected members from the thirty two local authorities. In general, they were appreciative and very supportive of the action being taken by Police Scotland officers, whilst also noting the need for enforcement in specific circumstances such as large house parties or wild camping in rural areas.
- The issue of Human Rights was raised and in particular how this is framed within the spectrum of human rights and the right to life. The group agreed that this is a complex issue that many countries are debating. The group agreed that it's likely that the IAG's final report will contain a section on this issue.
- The environment, poverty and deprivation were again highlighted with the correlation of these factors, Fixed Penalty Notices and compliance realism/enforcement realism critical to understanding the situation.

3. Note of previous meeting and matters arising

- The OpTICAL group is meeting on Monday 14th September and will discuss a range of data, including Professor McVie's paper, Nominal Data and the Courts data.
- The Chair had two separate discussions on Wednesday with respondents to the IAG mailbox, no further follow up is required.
- It is proposed that the agenda for the webinar on 5th October will include data presented by Professor McVie, the Glasgow Disability Alliance final report, the CYPES paper and possibly the Human Rights paper presented by Diego Quiroz.

4. Data Update

It was proposed that further discussion on the FPN nominal data be held at the next OpTICAL meeting on Monday. Professor McVie advised that she would be meeting with Kirsty Louise Campbell and John Harris from Police Scotland to discuss the timetable for the preparation of data for inclusion in the final report.

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Citizen Space

A further 3 responses have been received this week there remains no response from anyone under 18.

5. Fiscal Fines

Members discussed the letter dated 2nd September from the Lord Advocate which has been circulated to members. John Logue provided further information on the background to this measure which can be appropriate in certain cases. At present, it is allowing a number of cases to be progressed rather than being kept in the system, which currently has a substantial backlog. Professor McVie queried whether it would be possible to compare data to determine whether there were any links between Fixed Penalty Notices and Fiscal Fines. The data systems are not linked so providing accurate comparisons just now would be difficult however in the future it may be possible to undertake more analysis. Also discussed was the level of Fixed Penalty Notice issued by Police Scotland, with the escalation process also explained. Information on this issue was previously circulated to members by the secretariat.

6. AOCB

- Martyn Evans proposed that Cllr Kelly Parry, the COSLA Community Wellbeing Spokesperson be invited to a future meeting of the group.
Action
IAG secretariat to contact Mike Callaghan, COSLA Support Officer to progress.
- Members were asked to consider items for inclusion in the September 30th report for the SPA board meeting.

4. Date of Next Meeting

Friday 18 September 13:00 – 15:00

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