

<b>Meeting</b>	<b>Authority Meeting</b>
<b>Date</b>	<b>23 June 2022</b>
<b>Location</b>	<b>Video Conference</b>
<b>Title of Paper</b>	<b>Committee and Oversight Group Reports</b>
<b>Presented By</b>	<b>Committee and Oversight Group Chairs</b>
<b>Recommendation to Members</b>	<b>For Discussion</b>
<b>Appendix Attached</b>	<b>No</b>

**PURPOSE**

To provide the Authority with an update on business progressed through the following Committee and Oversight Group which have met since the last Authority Meeting:

- Legal Committee
- Complaints Conduct and Committee
- People Committee
- Audit, Risk and Assurance Committee
- Policing Performance Committee
- Resources Committee
- Policing of COP26 Oversight Group

**OFFICIAL**

<b>Committee</b>	<b>Chair</b>	<b>Date</b>	<b>Page</b>
Legal Committee	Paul Edie	19.05.22	3
Complaints and Conduct Committee	Alasdair Hay	31.05.22	4
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Audit, Risk and Assurance Committee	Jane Ryder	02.06.22	10
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## Summary report from Legal Committee

19 May 2022

Paul Edie, Committee Chair

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### **Main items of business**

- Areas of Business Approved under Delegated Authority of the SPA Chief Executive
- Operation Tarn Public Inquiry Update – Police Scotland Update
- Operation Tarn Public Inquiry Update – SPA Update
- Litigation Tables
- Application of Pension Forfeiture
- Potential Forfeiture of Police Pension of Ex-Constable

### **Key issues raised**

- Areas of Business Approved under Delegated Authority of the SPA Chief Executive Members were updated on work being done and progress made in addressing outstanding ill health retirement (IHR) and injury on duty (IOD). Members, though assured, highlighted the need for the pace of this to be progressed in order to avoid further budget pressures.
- Operation Tarn – Police Scotland and SPA Members were provided with an update following the commencement of the hearing on 10<sup>th</sup> May 2022. Members were assured by the current arrangements in place for those providing evidence from both Police Scotland and SPA Forensic Services.
- Litigation Tables Members were provided with updates in relation to the cases presented. Assurance on a number of cases was provided to members following their queries.
- Application of Pension Forfeiture and Potential Forfeiture of Police Pension of Ex-Constable Members had a detailed discussion in relation to Pension Forfeiture and advised of the legislation and underlying principles. Two reports were presented to members for decision in relation to a pension forfeiture with an agreement reached on both cases.

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## Summary report from Complaints and Conduct Committee

31 May 2022

Alasdair Hay, Committee Chair

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*The formal minute of the public items of business will be available at the next meeting which is scheduled for 18<sup>st</sup> August 2022. There will also be a public version of private items available, both items will also be published on the SPA's website.*

*The full recording of the public items of business taken at this meeting can be accessed at [Complaints and Conduct Committee - May 2022 on Livestream](#)*

### **Main items of business – 31<sup>st</sup> May 2022**

- SPA Annual and Quarterly Report (Q4 - 21/22)
- Police Scotland Professional Standards Annual and Quarterly Performance Report (Q4 - 21/22)
- PIRC Annual and Quarterly report on Police Scotland Handling of Complaints
- Joint Audit SPA/PIRC
- Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing – SPA and Police Scotland Updates
- Professional Boundaries

### **Key issues raised**

SPA Annual and Quarterly Report (Q4 – 21/22) Members noted updates on complaints matters, including key statistics reflecting the position at the year-end of Q4, 2021/22. In addition members were provided with key statistics over the past 5 years, 2017/18 to 2021/22. Members sought assurance around the proactive management of complaints and learning being identified. Members were advised that a formal thematic review of complaints would take place where the team will look to capture learning identified.

Police Scotland Professional Standards Annual and Quarterly Performance Report (Q4 - 21/22) Members were provided with the statistical information on the overarching performance activity in relation to complaints and conduct matters about members of Police Scotland for period (1 April 2021 – 31 March 2022). Members sought clarity around the increase around Quality of Service and Discriminatory Behaviour were advised to expect a bespoke deep dive report, looking at data from 2021/22 to the next committee

around both of these issues. Members sought clarity around what procedures were causing issues in relation to Irregularity in Procedures and were assured that a lot of work had been done within policy and procedures to reach a more manageable approach. Members sought clarity on what learning was being achieved to avoid further complaints from the returns in relation to Complaint Handling Reviews conducted by the PIRC. Members were advised that most often the feedback is around explanations and commentary being articulated in letters back to complainers. Members were assured that complaint handling was a topic at Local Scrutiny Boards and that Police Scotland engage directly with local divisions on that. Members were advised that most often the feedback is around explanations and commentary being articulated in letters back to complainers. It was agreed that PIRC would consider training inputs to PSD and Local Divisions to assist with the handling of complaints responses.

PIRC Annual and Quarterly report on Police Scotland Handling of Complaints Members were provided with statistical information in relation to updates on Complaint Handling Review Applications, Reports, Timescales and Outcomes. The report included key statistics reflecting the position at the end of Q4, 2021/22. Members asked for more information in relation to statutory referrals in order to gain a sense of the monitoring and review of that area. Phil Chapman, Director of operations at the PIRC has committed to adapting the current report to include investigations, statutory referrals and other information around the recommendations with trackers providing updates from Police Scotland.

Joint Audit SPA/PIRC Members were provided with a report which contained information, updates and Terms of Reference on the PIRC & SPA Joint Audit: PSD NCARU Complaint Triage. Members were advised that stage two of the audit was almost complete with stage three now being approached. The final report will be provided to the committee on completion.

Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing SPA and PS Members welcomed further reports from the SPA and Police Scotland and verbal assurance from HMICS in relation to the Dame Elish Angiolini Review and were assured on the progress being made. In addition the committee APPROVED the SPA submission of the preliminary report recommendation 17 for discharge via national governance structures.

Professional Boundaries Members welcomed a report which provided an overview in respect of the Professional Standards Department case review of complaints and conduct matters impacting on professional boundaries between 01 January 2017 and 21 October 2021 and outlining proposed next steps. Members were advised that

this piece of work had been taken forward following a number of matters across the UK following the tragic death of Sarah Everard and there being a push for UK police forces to look at their internal approach in relation to professional boundaries. Members strongly supported the improvements being made by Police Scotland in this area and have been assured to know that further reports will come to the committee on the progression of recommendations in relation to Professional Boundaries.

**Private items discussed**

- Police Scotland Restricted Duties and Suspended Officers
- Scottish Multi-Agency Training and Exercise Unit (SMARTEU) Outcomes
- SPA Ongoing Complaints Update Report

**Conclusions reached / actions agreed**

- SPA to link in with colleagues at Police Scotland around the accessibility of the SPA website following the work they have built on and their use of QR Codes.
- SPA to undertake a formal thematic review of complaints in order to draw learning down from that.
- Police Scotland to produce a bespoke report around Discriminatory Behaviour and Quality of Service, looking at the data from 2021/22 allowing for a deeper dive into a full years data
- PIRC to adapt their current report to include investigations, Statutory Referrals and other information around the recommendations with trackers which provide updates from Police Scotland.
- Police Scotland to report back to the committee twice, over the next 12 months, on the progression of recommendations in relation to Professional Boundaries.

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## Summary report from People Committee

1 June 2022

Mary Pitcaithly, Committee Chair

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A full recording of the public items of business taken at this meeting can be accessed at <https://livestream.com/spa/people0622>

The formal minute of the public items of business will be available at the next meeting which is scheduled for 31 August 2022. This will also be published on the SPA's website.

### **Main items of business**

- Q4 and Year End Workforce Report 2021/22
- 2018-2021 People Strategy Implementation Evaluation
- Strategic Workforce Planning
- Naloxone Update
- Workforce Impact of Changes to Police Pensions
- Year End Wellbeing Report 2021/22
- Your Voice Matters Organisational Implementation Plan
- HMICS Thematic Inspection of Police Scotland Training and Development Phase 2 Update
- Bi-Annual Equality and Diversity Report
- Q3 Health & Safety Report 2021/22
- H&S Lessons Learned – George Square
- Agile Working Verbal Update
- Succession Planning Update
- ACC Recruitment Closure Report
- Impact of Changes to Police Pensions
- C3 People Mitigation Proposals

### **Q4 and Year End Workforce Report 2021/22**

The Committee was assured that the unacceptably high levels of Re Rostered Rest Days (RRRD) was a priority area of focus of the organisation, with a group now established to ensure robust and effective management of this matter. Details of the plans to reduce the high levels of RRRD and to ensure levels are returned to acceptable levels are to be considered by Members at its next meeting.

Members requested an opportunity to receive meaningful insights from the improved exit interview process.

## 2018-2021 People Strategy Implementation Evaluation Report

The Committee noted the intention for this evaluation work to inform development of the refreshed People Strategy and ensure improvements in relation to reporting/oversight.

### Strategic Workforce Planning

A high level update was provided on the national work streams and Members welcomed the plans to move to more outcome focused reporting which would demonstrate the extent to which activity has delivered the original intent of the SWP work stream. A timeline for key activities has not yet been provided and an action remains ongoing for this to be done.

### Naloxone Update

Members considered an update in respect of officer H&S in relation to the use of Naloxone and welcomed the undertaking to ensure additional engagement with the Scottish Police federation on this matter.

### Workforce Impact of Changes to Police Pensions

The Committee considered a comprehensive update on the issues that have resulted from changes in retirement behaviours due to changes in Police Pensions. Members welcomed assurances that the necessary steps had been taken by the organisation to ensure new recruits would be supported throughout the period of additional recruits being trained. The Committee will consider analysis of data and trends from Exit Interviews at a future meeting.

### Year End Wellbeing Report 2021/22

Members considered a comprehensive update on the 2021/22 wellbeing activity and welcomed the commitment to develop the reporting so that it provides assurance to the committee on progress, improvement and aspects that are going well while highlighting risks and concerns and mitigating actions in this area.

### Your Voice Matters Organisational Implementation Plan Update

Members were pleased to note the Implementation Plan has been further developed since earlier iterations that had been shared with Committee however noted not all measures were fully developed yet. Work will continue to evidence local successes.

### Bi-Annual Equality and Diversity Report

Members discussed the report and sought to understand how the organisation will know the actions being taken are resulting in the desired outcome. The Committee also agreed that further discussion was required to explore the ambition in terms of workforce diversity to ensure the progress towards this could be tracked.



### Q3 Health & Safety Report 2021/22

The Year Ends data was not yet available as it had not yet been considered at the PS H&S Board however Members were pleased to see the improved report format and agreed this highlighted the excellent work being done whilst allowing the Committee oversight of any areas of priority.

### H&S Lessons Learned – George Square

The Committee sought and received an assurance that although this report was only now being considered at the committee, all organisational learning has been fed into policing activity since and had been considered as part of the COP26 planning work.

### Agile Working Verbal Update

Members noted the work being done to support staff with agile working and heard that the intention is to learn from the lived experience of the new model – post pandemic, and as necessary progress further support tools as necessary.

### Succession Planning Update

The Committee heard that a development programme has been put in place to support Police Scotland officers and staff who will attend the Strategic Command Course.

### ACC Recruitment Closure Report

Members considered a report which provide an update on the recent ACC recruitment process including the lessons learned that will be incorporated into future recruitment planning.

### C3 People Mitigation Proposals

The Committee discussed a C3 101 People Mitigation Proposal.

### **Conclusions reached/actions agreed**

Committee reporting to continue to be developed through joint working so that the Committee receives the relevant assurances. Assurances that priority issues such as re rostered rest days, workforce impacts of changes to pensions and wellbeing are being progressed to be provided to the next meeting of the Committee.

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## Summary report from Audit, Risk and Assurance Committee

2 June 2022

Jane Ryder, Committee Chair

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All items were discussed in private session.

### Main items of business

- Procurement
- Oversight of Change
- Committee Annual Report

### Key issues raised

- **Procurement.** Members welcomed the opportunity to be informed of the process and timeline for an upcoming procurement tender. Members discussed and endorsed what was proposed
- **Oversight of Change.** Following up from the previous meeting of the Committee, the SPA provided a new paper which detailed the current arrangements evidencing that the revised approach to oversight of change is in place. The Committee discussed requirements for consistency in Committee consideration and timely reporting through internal governance channels. It was recognised the paper was a satisfactory starting point and there would be further improvement incorporating feedback. Members therefore noted the report as providing a satisfactory account which could be relied upon in considering the committee's Annual Report
- **Committee Annual Report.** Members were presented with the draft annual report and noted the evaluation of committee effectiveness and integrated assurance statement presented to the Committee in March and May primarily supported the development. The Committee were generally supportive of the draft, and proposed additions to scope and some recommendations relating to the Internal Audit annual opinion and SPA oversight of change, including the potential of precedents such as COP26 Oversight.

**Conclusions reached / actions agreed**

- SPA Oversight of Change reporting to be developed further.  
Agreement of the annual report, with the additions as reported above.

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## Summary report from Policing Performance Committee

7 June 2022

Michelle Miller, Committee Chair

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*The formal minute of the public items of business will be available at the next meeting which is scheduled for 14<sup>th</sup> September 2022. There will also be a public version of private items available, both items will also be published on the SPA's website.*

*The full recording of the public items of business taken at this meeting can be accessed at [Policing Performance Committee 7 June](#)*

### **Main items of business**

- Operational Policing Issues
- ICVS Annual Report
- Performance Reporting, including the Chief Constable's Annual Assessment of Policing 2021/22
- Police Scotland Improvement Plans on HMICS recommendations

### **Key issues raised/ Actions agreed**

#### **Operational Policing**

Members received an update on stop and search compliance, welcoming the reported 99% compliance with the code. The reducing volume of stop and search activity was highlighted, and the actions being taken to understand this direction of travel. Members welcomed the continued focus on safeguards which ensure the proportionate use of stop and search activity. Members were reassured around the qualitative evaluation of individual interactions that will become possible with future use of body-worn video. The training provided to officers on use of powers was described, providing assurance that officers are informed and understand hidden disabilities and the needs of people with whom they interact.

There was discussion on the value of understanding why and when complaints are made to improve and develop the service. ACC Johnson reassured members on the work to ensure all complaints relating to stop and search are understood, responded to and learned from.

ACC Johnson confirmed that the drop in volume of stop and search activity last year is being explored. The service is also looking at ways to report different uses of powers, such as when transporting a vulnerable or

young person. Members sought further detail about the collation and use of more detailed data about stop and search instances, such as detail on negative and repeat negative searches on the same individuals; welcoming any further insights on how these data are used. ACC Johnson confirmed data are reported at a divisional level on number of repeats and the detail of nominals to allow local learning and evolution of the intelligence approach.

The significant variation in volume of activity across the country was discussed, with assurance provided around the rationale for this and the focus on understanding and learning from the data to inform future activity.

Members welcomed the CJSD vision and direction, supporting the intent, aspiration and commitment described in it, which show the clear public health, equalities and human rights focus of the service. The commitment to an annual internal review and development of a supporting performance framework was also welcomed.

Members noted the positive work done on the custody suite at London Road to create an inclusive and appropriate environment for children and young people; recognising this may also benefit vulnerable adults. Members urged a continued focus on investment in the custody estate and welcomed the assurance provided on this by Chief Superintendent McCreadie.

Assurance was also provided on the approach to the searching of children and young people in custody, underpinned by a commitment to dignity and respect for the individual. CS McCreadie confirmed the checks and balances in place around the process, which is safety and wellbeing focused. Members also sought assurance around consistency of mental health provisions and assessment for individuals in custody. CS McCreadie confirmed that this is an area of focus and welcomed the work HMICS and HIS are progressing in this area in relation to geographical variations in access to services. CS McCreadie also confirmed the challenge in accessing consistent support services for individuals in custody when working across 32 local authority areas with differing provision.

## **ICVS Annual Report 2021/22**

Members welcomed the Annual Report and noted their thanks to the volunteer Independent Custody Visitors who provide the service for their great work. Members also noted their support for the assessments made in the report and their appreciation for the improvement work delivered in the service over the course of 2021/22. Scott Ross confirmed that 28 children in custody were visited during the year and that this identified no

concerns in relation to the searching of these individuals. Members reiterated the importance of investment in the custody estate, recognising this is an issue identified by visitors on an ongoing basis.

## **Performance Reporting**

Members welcomed the detail and insights provided through the quarterly performance report and acknowledged that it has been challenging to identify underlying trends in the data, given the impact of Covid over the last 12-24 months.

The increasing volume of fraud crimes was discussed and assurance sought around resourcing a response to this. ACC Johnson provided an example of work delivered in L and K divisions on a victim-centred approach focused on the victim journey and experience. DCS Faulds confirmed that the increased volumes of fraud crimes reported have begun to level off in recent months, however, also noted that digitally enabled fraud perpetrated in Scotland does not necessarily originate in Scotland, which can make detection even more challenging. Members also sought assurance around road safety given increases in fatalities and the numbers hurt or seriously injured. DCC Taylor provided further detail on the work done to understand causes and trends, which then informs campaigns and targeted activity.

Members sought to understand the reason for rejected referrals in relation to health and safety detail in the report; DCC Taylor gave a brief update and reported that work is underway to fully understand and resolve the issue. Additionally, members welcomed the commitment to provide an update on a further protected characteristic data breakdown on absence levels at the September committee.

ACC Hawkins confirmed that limited insight and analysis are available on abandoned 101 calls as a result of current systems, however, this will be resolved through progression of the Modernised Contact and Engagement Work. However, work continues to understand the factors most important to callers, which include quality of their interaction as well as speed of answer.

Members were assured by the update on work being done to drill down in the data currently available in relation to hate crime, and to ensure the replacement crime system enables enhanced data capture and analysis.

It was acknowledged that the focus of activity should remain on detection rates and closure rates as volume and demand sit out with the influence of the service. However, the challenge of resourcing this, with the need for prioritisation of resource and focus, was recognised. ACC Hawkins reiterated that detection underpins public confidence and legitimacy.

The committee took the opportunity at the end of this item to thank ACC Hawkins for the work he has led in relation to public confidence, recognising the progress made in this area, and to wish him well in his impending retirement.

Members noted the continuous improvement evident in the refreshed iteration of the performance framework, which includes benchmarking metrics for the first time. Detail was sought on the timeliness of the metrics being presented through the framework. Director McMahon and Tina MacLucas confirmed that metrics utilised in the framework are sourced from internal systems and used as 'live' management information. These data are quality assured internally and subject to control testing before being used for reporting, analysis and insights, ensuring timely reporting of relevant metrics through internal and external governance mechanisms. Members asked about the relationship between service and divisional data and the overarching framework. Detail was provided on the relationship of all data reporting with the five strategic outcomes in the Strategic Police Plan. Further detail was also provided on the link between data from the framework and those reported through local scrutiny arrangements.

Members welcomed the Chief Constable's Assessment, which provides an assessment of activity reflecting quarterly reporting to committee throughout the year. The scale of the work delivered over the year was welcomed and celebrated. Members welcomed the format of this report and the use of visuals and infographics to make the detail more accessible.

Members recognised that the report contains a significant amount of detail of ongoing and business as usual work, and urged an increasing focus on milestones and 'in-year' activity reporting. Director McMahon reaffirmed the commitment to a milestone focused reporting through the Annual Police Plan 2022/23.

### **Police Scotland Improvement Plans on HMICS recommendations**

Members were updated on delays in the delivery of the hate crime improvement plan activity as a result of challenges external to the service. ACC Bond updated members that the service has met with HMICS to review the plan timelines and update these to something more realistic, given the pressures. The service is working to have revised timescales confirmed and approved by end of June. ACC Bond also confirmed that all activity areas within the gift of the service, and not dependent on IT systems, are progressing well. A report will be provided to September committee updating on revised timelines.

Members were provided with an update on progress on the improvement plan on child sexual abuse and exploitation. A further three recommendations have been discharged by HMICS since the report was prepared, with a further recommendation expected to be discharged imminently. DCS Faulds also reported that HMICS is well sighted on progress against the ongoing areas of activity. There has been some impact from the pandemic in relation to progressing improvement activities as a result of an increased global online presence. DCS Faulds noted that the new recommendation on a wellbeing strategy for officers and staff is progressing well and is a key focus area. The service is seeking examples of good practice in other jurisdictions to inform the Police Scotland approach.



# Executive Summary

## Introduction

This is the final Quarterly report of the 2021/22 performance cycle, reporting on our revised Performance Framework and new Measures of Progress. Our outcomes focused Performance Framework is linked to our strategic planning processes and aligns to the Strategic Outcomes as detailed in the 2021/22 Annual Police Plan, these being:

- **Public Safety and Wellbeing** – threats to public safety and wellbeing are resolved by a proactive and responsive police service
- **Needs of Local Communities** – the needs of local communities are addressed through effective service delivery
- **Confidence in Policing** – the public, communities and partners are engaged, involved and have confidence in policing
- **Positive Working Environment** – our people are supported through a positive working environment, enabling them to serve the public
- **Sustainable and Adaptable Service** – Police Scotland is sustainable, adaptable and prepared for future challenges

Throughout the document we have highlighted any updates that are linked to our new Joint Equality Outcomes.

Also included in this report are metrics from the Performance Framework that measure the demand placed upon Police Scotland, detailed as follows:

Incident Demand	Missing Person Demand
<p><b>146,084</b> concern for person incidents – up <b>3.7%</b> (<a href="#">page 56</a>)</p> <p><b>41,275</b> missing people incidents – up <b>15.7%</b> (<a href="#">page 56</a>)</p>	<p><b>17,239</b> missing persons investigations – up <b>19.9%</b> (<a href="#">page 56</a>)</p> <p><b>2,917 (29.6%)</b> missing persons who have gone missing previously – up <b>4.3%</b> (<a href="#">page 56</a>)</p> <p><b>17.4hrs</b> average length of time missing (<a href="#">page 56</a>)</p>
Call Demand	Partner Demand
<p><b>1,485,687</b> incidents raised – down <b>2.2%</b> (<a href="#">page 67</a>)</p> <p>Various incidents by response type (see <a href="#">page 67</a>)</p> <p><b>26.5%</b> of incidents which lead to a crime – up <b>0.9%</b> (<a href="#">page 67</a>)</p> <p><b>97.0%</b> of incidents requiring police response – no change (<a href="#">page 67</a>)</p>	<p><b>5,609</b> missing persons from NHS, Young Persons Units and Foster Care locations – up <b>14.0%</b> (<a href="#">page 56</a>)</p> <p><b>2,857</b> external force request incidents – up <b>13.1%</b> (<a href="#">page 67</a>)</p>

## Policing Demand during Quarter 4 2021/22

Quarter 4 concludes a remarkable and challenging year for Police Scotland in which changes to our operating environment, whether planned or unexpected, were met with appropriate and timely responses across the country. Large scale events like COP26, which saw 40,000 visitors welcomed to Scotland, were delivered safely and without incident; the hastening of several established crime trends, as seen in the significant growth of fraud and cyber-enabled crime, continued to be mitigated

by robust, long-term action, such as the numerous workstreams advanced as part of our Cyber Strategy; and further COVID-19 developments, as with the emergence of the Omicron variant, were countered by the effective structures and processes put in place over the last two years to share information, manage absence disruption, and keep members of our organisation and the communities of Scotland safe.

In recognition of the breadth of demand that Police Scotland routinely encounters, demand-based metrics were included in our Performance Framework for the first time this year, an approach that has allowed us to detail aspects of vulnerability, mental health, and partner demand throughout our reporting cycle. The success of this approach means that in the forthcoming year we plan to extend the number of these measures in our framework, in order to report as broadly as possible and provide a more complete profile of non-crime demand.

Levels of overall recorded crime and offences have remained low in 2021/22, virtually unchanged from last year and 6.1% lower than the five year mean for Crime Groups 1-5. This reflects in part the restrictions placed on events, gatherings and public events earlier in the year, but also longer term trends such as reductions in acquisitive crime. However, if crimes related to coronavirus legislation are included, this year observed a 7.1% fall in overall crime in Groups 1-5, reflecting the reduction in COVID-19 related enforcement across Scotland. These trends are explored further in [Key Insight 3 on page 21](#).

The ability to respond to demand is dependent on having adequate response available, something that many organisations have struggled with over the last year given the high number of short term absences resulting from COVID-19 infections and self-isolation periods. Police Scotland has managed this risk on multiple levels and across departments, including through extensive home working arrangements and a dedicated Outbreak Management Team that was stood up at various times of the year, as required. Absences have remained high during Quarter 4, as the influence of the highly contagious Omicron variant continued to be felt.

Necessary social distancing and COVID-19 related absences put a particular strain on C3's capacity during 2021/22, with unfavourable circumstances further compounded by displaced demand on behalf of partner agencies. In response, Police Scotland prioritised the answering of 999 calls, and our performance in this area remained consistently strong, despite the number of 999 calls increasing 17.8% on the previous year. However, periods of high volumes of 101 calls has led to delays and a higher average answer time over the year for this call type (see [Key Insight 4 on pages 22-23](#) for more details).

Various steps have been taken to alleviate these wait times, including a fallback facility providing additional capacity and extensive efforts to signpost callers to the most appropriate method of contact. This approach has contributed to an increase of roughly 5.2% of additional public contacts from emails and online reports during the year.

Building a relationship with communities based on our values of integrity, fairness and respect drives our continual efforts to listen to, understand, and act on the concerns of the public. Through our Your Police 2021/22 and User Experience surveys, we are able to collect feedback, build on what we are doing well, and inform opportunities for improvement. Work in this area continues to develop, with various new surveys in progress, such as those aimed at capturing the experiences of individuals interacting with the police in specific circumstances (like victims and witnesses of serious crime, or people in police custody). Moving into next year, a new Your Police survey will be launched, alongside the publication of 'We Asked, You Said, We Did' feedback, detailing the actions taken as a direct result of people taking part in previous engagement. More information on these and other plans can be found on [pages 27-31](#).

The pressures placed on society by the pandemic over the last two years have highlighted the necessity for organisations like Police Scotland to work effectively with partners in order to combat threats and risks that are common across services. This report provides numerous examples of successful partnership working and innovative approaches, such as the public health approach taken by Police Scotland to tackling Scotland's drug death crisis, including collaborating with charities on the production of naloxone awareness cards, rapidly sharing relevant information with Scottish Government, and supporting multi-agency discussions on safe drug consumption facilities (more details supplied [on pages 44-51](#)).

Likewise, Police Scotland continues to work with numerous partners across the criminal justice system in support of the Justice Recovery Programme (as outlined on [pages 85-90](#)).

Throughout the year we have reported in detail on hate crime figures, particularly following the increase observed during Quarter 1. On a monthly basis, hate crime followed a similar pattern to 2020/21 and rose overall by 2.5%. The HMICS Thematic Inspection of Hate Crime was published in June 2021, and following this our Hate Crime Improvement plan was presented to the SPA Policing Performance Committee (PPC) in December 2021.

Rising volumes of fraud (up 68.2% on the five year mean) remain a concern for Police Scotland, given the scale of the issue, the complexities involved and the vast array of different vulnerabilities that a fully cyber-enabled society presents to criminals. Our long term response in this area has focused on implementing the Cyber Strategy, establishing key partnerships and promoting cyber security proactively to a wide variety of audiences. This quarter we have also provided examples of the vital preventative work that Police Scotland regularly undertakes in response to new fraud types emerging, making sure we reach the right people quickly enough to make a difference ([pages 78-81](#)).

In August 2020, Chief Constable Iain Livingstone made a pledge to police officers and staff that violence was not a part of their jobs and would not be tolerated. A large amount of activity has taken place in this area, including the formation of the oversight group, Your Safety Matters (YSM), the establishment of a network of YSM Champions, and the building of a Police Assaults dashboard suite, enabling in-depth analysis and identification of prolific offenders. 2021/22 marks the first year since 2014/15 to witness a decrease in the number of assaults on officers and staff, a drop explored in more detail in [Key Insight 1 on page 19](#).

Police Scotland is constantly looking for ways to raise our performance, whether that be by working with partners to reduce the number of repeat missing persons, supporting innovative community schemes across the country, or examining existing processes to identify areas for improvement. An example of this can be found in Police Scotland's new Operational Safety Training programme, which focuses on de-escalation with the aim of giving officers and staff increased confidence in control of a subject when making an arrest. Whilst we saw an overall increase in use of force during 2021/22, this was driven by officers and staff using hand techniques, whilst the majority of other methods available (such as spit hoods and irritant sprays) saw a decrease, a shift explored more in [Key Insight 2 on page 20](#).

As the year comes to an end and we look forward to what will be a busy summer, with a full resumption of events expected, we are committed as an organisation to meeting every challenge and remaining focused on our core values. Only by delivering tangible progress towards our strategic outcomes and retaining the fleet of foot to respond to new issues as they emerge, can we continue to improve the safety and wellbeing of communities in Scotland.

**This report comprises of four sections:**

- Policing During Quarter 4 2021/22 – Key Insights
- Public Confidence and Experience of Policing
- Measures of Progress towards Strategic Outcomes – Full Picture
- Operation TALLA – Police Scotland COVID-19 Response

## Public Confidence and Experience of Policing (Further details on pages 24-31)

**Challenge:** How do we continue to engage and involve the public, communities and partners in policing through our ongoing national surveys and other engagement activities?

**Response:** The public confidence and user experience survey insights are considered each month at the Strategic Leadership Board for executive oversight and action. Data and insights are shared with Regional Delivery Boards and local policing for improvement planning and scrutiny, and working with partners and other relevant stakeholders. Feedback and insight helped shape the [Annual Police Plan for 2022–23](#) and work is underway to ensure that data from communities informs the development of new Local Police Plans, as engagement on their renewal commences.

Our response to public and community feedback has been to:

- Improve the way we share and use data and insights within Police Scotland.
- Introduce a GIS Mapping Tool to our Your Police survey to identify the locations and reasons communities feel less safe.
- Commission social action research within seldom-heard communities.
- Establish reference sub-groups to implement actions for enhancing engagement within seldom-heard communities.
- Lead on an Independent Advisory group focused on emerging technologies in policing.

- Respond to local needs by piloting innovative approaches to involve communities.

**Impact:** The findings from the User Experience survey continue to show high levels of satisfaction with Police Scotland from those members of the public who have had some form of interaction with us throughout the reporting year.

All seven questions asked in the survey have recorded a positive upward trend from Quarter 2 to Quarter 4. Treatment by staff during initial contact (87%), being properly understood by staff (89%) and treatment by attending officers (83%) in particular recorded high levels of satisfaction in Quarter 4.

We also continue to develop our Public Contact and Engagement strategy. The introduction of accessible new contact channels and enhancements on how we communicate and engage are anticipated to have a positive effect on the overall public experience and further improve confidence in reporting crimes and incidents.

## Measures of Progress towards Strategic Outcomes

Measures of Progress towards Strategic Outcomes have been identified by Police Scotland in collaboration with the Scottish Police Authority. This new suite of key measures have been identified from the available management information and aims to support consistent reporting from the Performance Framework. The following is a synopsis of exceptions identified with the Quarter 4 report.

## Overall Violent Crime (Further details on pages 32-35)

**Challenge:** What are Police Scotland doing to facilitate the implementation of the Offensive Weapons Act 2019?

**Response:** Police Scotland's Violence Prevention and Licensing Coordination Unit (VPLCU) continue to engage with Scottish Government surrounding the implementation of the Offensive Weapons Act 2019. This will expand the range of items that can be deemed an offensive weapon, creates a new criminal offence of possessing a corrosive substance in a public place and the sale of corrosive substances, and will include a provision to allow the surrender of weapons newly deemed criminal.

The Scottish Government will publish details and guidance for the surrender and compensation scheme at the end of June 2022 with the intention that the weapons surrender campaign runs from 01 July 2022 to 30 September 2022.

VPLCU have also established an implementation group to ensure all impacted business areas are prepared to deliver the surrender campaign and enforcement of new weapons offences. Training and communications messaging are currently being prepared and will be circulated in advance of implementation of relevant offences in June 2022.

## Sexual Crimes (Further details on pages 35-40)

**Challenge:** The number of Group 2 sexual crimes recorded in 2021/22 was the highest figure experienced in the last six years. Overall sexual crime increased by 13.7% (1,810 crimes) compared to last year and 17.0% against the five year mean. Whilst the number of detections has risen, these have not kept pace with the volume of additional reporting. As a result, detection rates have fallen 4.7 percentage points against the five year mean.

**Response:** A comprehensive review of the national policing response to Public Protection has been commissioned and will become a programme of work to improve national and local approaches, enabling Police Scotland to continue to adapt and respond to shifting demand and vulnerabilities. The first phase will establish the 'As is' and a comprehensive demand profile with key milestones identified during 2022.

## Drugs Harm (Further details on pages 44-51)

**Challenge:** Drug related harm continues to have a devastating effect on our communities, with the most recent figures from the National Records of Scotland demonstrating that 1,339 individuals died from drug-related causes in 2020. This is the highest figure on record and the highest per capita number in Europe.

**Response:** An array of workstreams have been progressed in response to the drugs harm challenge being faced, including a high profile Test of Change in the carrying of naloxone. This training concluded with over 800 officers trained and 81% of those trained choosing to subsequently carry naloxone.

On 09 February 2022, the previously commissioned evaluation report was presented to Police Scotland's Strategic Leadership Board, at which time approval was granted for all operational officers, up to and including the rank of Inspector, to be trained and equipped with naloxone.

As a result, Police Scotland will be the first police force in the UK to equip all front line police officers with naloxone. The full rollout of naloxone across Police Scotland will be implemented throughout 2022, with work currently ongoing into securing stock of naloxone as well as the training and equipping of 12,000 officers.

In support of this work, Police Scotland has collaborated with Scottish Families Affected by Drugs (SFAD) to create naloxone awareness cards. These have been distributed to custody and frontline officers to disseminate to at-risk persons. SFAD is a provider of Take Home Naloxone (THN) kits and also offer advice and information on overdose prevention, intervention, and naloxone training.

**Impact:** There have been 66 administrations of naloxone up to 18 April 2022, with no fatalities; this number continues to rise as Test of Change participating officers still carry naloxone prior to full national roll out. In a number of these incidents, the individual involved was deemed to have been in an immediate threat to life situation, however following the intervention of an officer and administration of naloxone, they recovered sufficiently to either receive further medical attention or leave the scene of their own volition.

## Drugs Supply (Further details on pages 51-54)

**Challenge:** Tackling Serious and Organised Crime (SOC) is a priority for Police Scotland and our officers continue to severely disrupt the activities of organised criminals and reduce the harm caused within our communities. Despite significant progress, we must constantly adapt to the significant complexities of current and future threats, and have a framework designed to respond. This work was recently brought to the fore with the changing environment posed by the global pandemic and exit from the EU, in which Police Scotland's response was required to be dynamic and innovative.

**Response:** With COVID-19 restrictions being lifted, Police Scotland operational responses adapted rapidly and provided resilience in order to ensure public confidence was maintained. In particular, the response in dealing with drug supply and distribution, SOC related violence and cybercrime by serious and organised criminals, remained dedicated and driven at a national level.

**Impact:** Police Scotland continue to respond to the full range of SOC threats by utilising our capabilities and have seen a significant number of results through major drug recoveries and SOC related arrests.



## Missing Persons (Further details on pages 56-59)

**Challenge:** The number of missing persons investigations in 2021/22 was 19.9% higher than the previous year. As reported and analysed in previous quarters, this correlates strongly with the conditions created by the pandemic. Missing Persons investigations are also up on 2019/20.

**Response:** Repeat missing persons account for nearly 30% of missing persons investigations. When missing persons are found it is important that appropriate safe and well checks are put in place that could help in the event of a repeat missing person.

**Impact:** National Missing Persons Unit (NMPU) is undertaking a study with Police Scotland's Academic Research Unit and the University of Sunderland. The objective is to identify best practice, training ideas or the practical and realistic support needed by front line officers by providing the NMPU and managers with the realities faced by front line officers and missing person co-ordinators. The study will be published in 2022/23.

## Call Handling (Further details on pages 66-69)

During the reporting period, our service advisors received 2,413,900 calls via 999 or 101, a decrease of 152,102 on the same period last year. Alongside incoming calls, there have been over 268,000 additional public contacts dealt with by Contact, Command and Control (C3) Division during the reporting period, including online reports, alarm calls, partner demand and "Contact Us" emails.

**Challenge:** The average call answer time for 101 calls increased from 2 minutes 31 seconds to 3 minutes 17 seconds during the reporting period. This continues to be highlighted as a challenge for the division and measures have been put in place to alleviate this as detailed in the response. The increased 999 call demand during this reporting period (up 17.8% compared to the previous year) has exacerbated this issue which is the focus of ongoing work between C3, ICT and Estates.

C3 has been more deeply affected than other divisions by COVID-19 and the associated accommodations, given the structure of contact centres and the necessity of social distancing. Absences in particular have hampered our ability to respond, including high levels of COVID-19 absences observed into Quarter 4.

**Response:** Although every public service has suffered due to the conditions created by the pandemic, Police Scotland have continued to maintain all services throughout the period, despite increased and varied demands, high ongoing absences, and the difficulties created by necessary social distancing within the workplace. These conditions have been compounded by further displacement demand by those partners providing a reduced service. Police Scotland have prioritised the answering of 999 calls and our performance in this area remains strong.

Periods of high demand on the 101 number along with the requirement to prioritise 999 calls, has led to longer delays during busy periods. However, a further change to our Inter-active Voice Recording (IVR) system which provides dynamic anticipated wait times to callers phoning 101 will improve the customer experience and manage expectations at first point of contact.

Efforts continue to signpost callers to more appropriate methods of contact, including via Contactus and the force website, and likewise social media is used during periods of high demand to inform the public and provides the opportunity to educate the public on correct use of 101. Online contacts continued to rise during this reporting period, indicating the success of this approach.

### **Hate Crime** **(Further details on pages 71-73)**

**Challenge:** The number of hate incidents has increased by 7.7% (540 more) and the number of crimes by 2.5% (171 more) compared to the previous year to date. Hate crimes with a transgender aggravator have increased by over 100% compared to the previous year (76 more).

**Response:** In light of the substantial increase in transgender hate crimes further analysis is being conducted to understand the reasons behind the increases.

### **Fraud (Further details on pages 78-81)**

**Challenge:** The rising volumes of fraud remain a concern to Police Scotland (up 18.6% compared to last year and up 68.2% on the five year mean), given the scale of the issue, the complexities involved and the vast array of different vulnerabilities that a fully cyber-enabled society presents to criminals.

**Response:** The long term Police Scotland response is focusing on the implementation of the Cyber Strategy, establishing key partnerships and promoting cyber security proactively to a wide variety of audiences.

Understanding the challenges facing law enforcement and our partners, Police Scotland has initiated a Fraud Strategic Governance Group. This group, involving police, partners and the Scottish Government has been set up to understand and direct activity at a strategic level to combat the threats posed by the increases in fraud.

The group looks to provide a coordinated public awareness raising initiative to prevent fraud from being committed and also ensure appropriate governance around a consistent and joined up strategy across agencies and organisations is undertaken.

Police Scotland continues working with partners across law enforcement and the private sector with the aim of disrupting the activities of these criminals and protecting the public from falling victim in the first instance.

## **Criminal Justice Recovery** **(Further details on pages 85-90)**

**Challenge:** As part of the Justice Recovery Programme, Scottish Government has provided £50 million in additional cross-justice funding. This is providing necessary targeted resources towards courts, Crown Office and Procurator Fiscal Service (COPFS), Police and Community Justice to support the recovery programme.

It is clear that additional funding will be required over a multi-year basis if the backlogs in the system are to be addressed. The initial provision has been allocated and since September 2021, there has been an increased court programme, which will see an additional four High Courts, two Sheriff and Jury courts and ten Summary courts running each day.

Initial ambitious modelling of the increased court programme suggested this would return case backlogs to pre COVID-19 levels by 2024/25 albeit recent updates provide that solemn backlogs will not be addressed in these time scales without yet further increases in trial capacity and revised proposals are under review by Justice partners.

**Response:** A further £2 million has been allocated to Police Scotland from the justice recovery fund for 2022/23 to provide 18 additional resources to supplement the court officer cadre and wider justice transformation work. The allocation also includes a pro-rata uplift in overtime funding to support court attendance, however, this will not sufficiently mitigate the operational impact of increased numbers of officers requiring to attend court to provide evidence.

Within the 2022/2023 allocation, additional funding has been provided to support a further resource uplift and work is ongoing to ensure this is allocated so as to best support operational policing and mitigate the impact of the recovery programme. It is anticipated that Justice Recovery funding will also continue into next year 2023/24.

**Success:** A number of work streams under “Recover, Renew, and Transform” are focusing on supporting Criminal Justice recovery.

## **Summary Justice Reform – Evidence and Procedural Review (EPR)**

The Evidence and Procedural Review Case Management Summary Pilot working group has reconvened and several working groups are in place. The intention and ability to frontload and disclose the case, statements and essential productions to COPFS and Defence Agents much earlier in the process will in turn prevent unnecessary trial dates being set to avoid additional churn which is associated with that process. This includes the unnecessary citing of witnesses. All domestic cases will be considered for this pilot as well as some other cases.

The pilot areas for this will be Paisley, Dundee and Hamilton.

A number of changes will be required to be made to the Legal Aid scheme to ensure Defence Agent engagement. The pilot has no confirmed roll out date but will not take place before June 2022.

## Witness availability and Citations

A Short Life Working Group (SLWG) has been established with key representatives from Criminal Justice partners to review and refocus the way in which witnesses are cited for trial. In order to be effective, it is vital that as well as ensuring the correct witnesses are cited for trial, they are also cited on optimal dates.

All Criminal Justice partners recognise the need to improve the current system, with possibilities including an IT link between partners to assist in identifying an appropriate date and reducing the impact on frontline policing by minimising the time spent waiting for and giving evidence. Work is currently being undertaken between Police Scotland and COPFS in relation to content within Police reports to ensure all essential elements and key evidence is contained within police reports. It is vital only essential witnesses are added to reports.

Existing processes have an impact in terms of cost, something recognised at senior levels within both PS and COPFS and strategic discussions have commenced in order to review and improve this.

## Remote Provision of Witness Evidence (RPWE)

On 17 January 2022, every High Court trial across Scotland was permitted to hear police witnesses' evidence remotely. Police Scotland has created 55 Evidence Giving Rooms (EGRs) across the estate mainly based within selected police stations.

To date over 3,800 police officers have been allocated an EGR in or near their work place. Over 200 police officers have given evidence in these trials.

There are some challenges still to be overcome no less with Scottish Courts and Tribunal Service (SCTS) ICT, some of which is simply operator error, but nonetheless impactful on proceedings. Troubleshooting and review of all IT has commenced by both Police Scotland and SCTS.

Unfortunately this issue and the very nature of some cases means that officers may still be required to attend in person. Each case is being reviewed individually for learning and improvement purposes.

To date there has been praise from numerous users including Lord Beckett, as well as officers having given evidence, who see the benefit in this pilot. It is most effective in preventing the unproductive loss of hours spent waiting in court and travelling time as well as associated costs. As such the pilot has been extended until June 2022.

## **Absence Management** **(Further details on pages 103-106)**

**Challenge:** Absence data this quarter shows an increase for both officers and staff against the same period last year. In this reporting year 38% of officer working days lost were COVID-19 related and 28% for staff; this represents 35% of the total workforce working days lost for 2021/22. Non COVID-19 related absences are also up on last year for both officers and staff.

Analysis of non COVID-19 absence shows that the main causes are broadly similar for both officers and staff with psychological disorders continuing to be the greatest cause of absence. This reinforces both Your Voice Matters results and HR staff observations that psychological disorders referenced across HR grievance, discipline and ill-health retirements casework.

**Response:** The organisation has a multi-faceted Mental Wellbeing Programme. Part of this includes resilience training, providing officers and staff with tools to help keep them well and minimise mental illness.

Given the complex nature of psychological illness, Police Scotland are commencing a detailed deep-dive of this issue to more clearly understand what Police Scotland can do to better support our workforce. The intention is that this will inform the new Occupational health contract which will be subject to procurement throughout this financial year.

## **Operation TALLA –** **Police Scotland COVID-19 Response** **(Further details on pages 114-123)**

Throughout the majority of the quarter, the Service continued to operate as per the business as usual (BAU) processes

detailed in the transition plans. Although many of the Operation TALLA Cells were stood back up as a result of the Omicron variant, the BAU processes stood up to all tests with the cells available for any advice or escalation requirements.

A combination of the Omicron variant and the Festive period meant that COVID-19 related absence rates were particularly high at the beginning of the quarter, peaking on 05 January 2022 at 2,136 officers and staff. COVID-19 absences then fell throughout the month of January, before increasing again throughout February and March. Towards the end of March 2022, COVID-19 related absences began to decline with 989 recorded.

In response to the increased absence rates across the Force, approval was given by the Chief Constable in December 2021 to re-establish the Conventional Response Unit (CRU) to support Local Policing. This was active from 10 January until 20 February 2022 with 465 officers and 255 probationers redeployed to local policing divisions.

The Outbreak Management Team (OMT) was reinstated on 15 December 2021 in response and remained active until 28 February 2022. The management of cases is now primarily carried out by line managers who have the support of guidance previously issued.

PPCW Division's Equality & Diversity Unit continues to monitor tensions through engagement with local and national partners across all sectors, and daily monitoring of hate crime and incidents. The unit continue to prepare a weekly Community Tensions Report for the Force Executive and provide information to the National Community Tensions Team.

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## Summary report from Resources Committee

13 June 2022

Grant Macrae, Committee Chair

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*The formal minute of the public items of business will be available at the next meeting which is scheduled for 09 August 2022. This will also be published on the SPA's website.*

*During the current period of social distancing and other restrictions as a result of the COVID-19 pandemic, a full recording of the public items of business taken at this meeting can be accessed at <https://livestream.com/spa/resources0622>*

### **Main items of business**

- Provisional Year End Outturn 2021/22
- COP26 Budget Update
- Evaluation Report of the roll out of Electric Vehicles
- Review of Contract Expenditure (Compliance)
- Contract Award: DNA Kits
- Contract Award: Microsoft Enterprise Agreement
- Analytics Transformation Full Business Case
- Governance Review - Scheme of Financial Delegation updates
- Officer Pay update
- Staff Pay update
- Chief Officer Relocation Annual Assurance Report

### **Key issues raised**

- **Provisional Year End Outturn 2021/22**
  - Recognising the significant challenges of the past year, Members again commended the work to effectively manage the outturn to budget and explored the lessons learned from what had been such a demanding year. Transparency and early engagement were recognised as key to the effective management of the budget.
  - Assurance was sought and received that improved capital management was being embedded across business areas.

- Members considered an update on the work to introduce priority based budgeting and heard that discussion was required to agree how and when this would be rolled out more widely across business areas.

- **COP26 Budget Update**

Members received an update on COP26 budget and noted a further update will be provided to the Authority.

- **Evaluation Report of the roll out of Electric Vehicles**

Members considered a comprehensive review of the progress to move Police Scotland's fleet to ultra-low emissions vehicles (ULEV) and welcomed the assurance that lessons learned are being considered as part of the next phases of the roll out.

- **Contracts and Compliance**

- **Review of Contract Expenditure (Compliance):** Progress report towards increasing spend compliance was considered and a reduction in non-compliant spend was welcomed by the committee.
- **Contract Awards:** Members considered proposals in respect of the provision of forensics DNA Kits and Microsoft Enterprise Agreement.

- **Business Cases**

- **Analytics Transformation Full Business Case**  
Members considered an overview of the strategic intent of the project and agreed that the operational policing drivers for this Business Case had been clearly articulated. The Committee heard that the funding for this project will be considered at internal Police Scotland governance groups, with a final decision on budget allocation to be made by the Chief Constable.

Members were supportive of the strategic intent and asked that future reports to the committee provide clarity on the ways that local benefits will be managed.

- **Governance Review - Scheme of Financial Delegation update**

In considering the proposed changes updates to the current arrangements, the committee sought and received assurance controls were in place to ensure any matters that may sit below the financial threshold for committee consideration are appropriately flagged to Members. Members noted the arrangements in place for ARAC to consider the oversight of change.

- **Officer and Staff pay verbal update**

The Committee considered verbal updates in respect of both Officer and Staff Pay awards.

- **Chief Officer Relocation Annual Assurance Report**

The report provided assurance the procedure is working well and in line with policy, with effective engagement and oversight from the Chief Executive.

### **Conclusions reached / actions agreed**

- To take cognisance of the current increased fuel and supply chain costs,
- Further updated detail to be provided on the whole life financial costs and benefits of the move to ULEV compared with original estimates.
- Discussion to take place on the oversight role of this Committee in respect of the SPA Forensic Services budget.
- The following items were recommend to the Authority for Approval:

- Full Business Case

- Analytics Transformation Full Business Case

- Contract Awards:

- DNA Kits
    - Microsoft Enterprise Agreement



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## Summary report from Policing COP26 Oversight Group

14 June 2022

Tom Halpin, Committee Chair

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### Main items of business

- COP26 Budget – Final Report
- Operation Urram – Final Report
- Independent Advisory Group (IAG) (**Letter attached as Appendix 1 to this report**)
- Oversight Group – Final Report

### Key issues raised

- In the final meeting of the Oversight Group, the agenda focused on closure reports around finance; the work and conclusions of the IAG; the operation and conduct of the Oversight Group itself; and the outcome of the debrief and close down activity following the event.
- Members were given final assurance around the recovery of all costs. Police Scotland reported that the incremental cost to the Authority of policing COP26 has been recovered from HM Government in line with the agreed principle of “no financial gain or detriment” to the Authority as a result of policing the event.
- Members once again thanked the Finance Team for their thorough and diligent oversight of the spending process, and the clarity of which reporting was provided in a timely manner to the Oversight Group throughout.
- Police Scotland provided Members with an overview of the Operation Urram Debrief Report, which will be reported to the full SPA on 23 June.
- Along with providing detailed reflections for consideration in future events in relation to areas such as wellbeing; planning; resourcing; partnership working, the report sets out 21 key recommendations which have been specifically assigned, and will be tracked through Police Scotland’s governance.

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- Members also noted the final report and letter from John Scott QC in relation to the work carried out by the Independent Advisory Group, which looked specifically at the policing of protests and the human rights-based approach to policing the event.
- A final report on the operation and conduct of the Oversight Group was noted by Members. The report set out: a full description of how the OG operated and how it worked in close partnership with Police Scotland to deliver its defined terms of reference.
- Finally, Members once again paid tribute to the hard work and diligence of all officers and staff in the planning, preparation and delivery of a successful COP26, as well as the SPA officers involved in supporting the Oversight Group since it was stood up in February 2020.

### **Conclusions reached / actions agreed**

- The Oversight Group would conclude its assurance by writing to HMICS to report on the verbal assurances provided on all areas for development (AfD) provided, and seek agreement that those AfDs have been fully discharged in the opinion of HMICS.
- The final reports provided to the Oversight Group will now be presented to the full SPA meeting on 23<sup>rd</sup> June, which will conclude the work of the OG in discharging its Terms of Reference.

Mr Tom Halpin  
Chair  
COP26 Oversight Group  
Scottish Police Authority  
Glasgow

5 May 2022

Dear Tom,

**Independent Advisory Group - Operation Urram (COP26)**

As you know, I had planned to complete the work of the IAG by arranging a final meeting or meetings of the Group to discuss some evidence that has become available since the end of COP 26 (or “the Conference”). I intended then to submit a final report.

Unfortunately, in terms of timing at least, I will be unable to complete this work as originally planned as I am to become a Senator of the College of Justice and will take up this full-time role very soon. The public announcement of my appointment was made on 4 May 2022 and my installation will take place on 12 May 2022.

I sincerely regret that I will be unable to complete this work but thought it important to submit a final letter offering some reflections on what we did. I regret that it will not be possible in the time available to reconvene the Group although it is my intention to circulate this letter for the information of my colleagues.

Naturally, given its scale and unique challenges, there is scope for considerable institutional learning from the policing of the Conference. It is the largest event of its kind ever to be held in the United Kingdom. As part of the international policing community, Police Scotland wanted to ensure that relevant lessons could be learned for the future policing of such events in this country and elsewhere in the world. I understand that the process of learning and implementing lessons has already started within Police Scotland and that it will continue for some time.

Overall, the Conference passed off peacefully. This is a tribute to the many thousands of citizens, protestors, activists and other participants who recognised the importance of the Conference and also the need for all protest and assembly to remain peaceful. It is also a tribute to the many police officers who facilitated peaceful protest and assembly in line with human rights requirements.

The Conference was not without some controversy, perhaps especially in relation to the two occasions when crowds were prevented from proceeding, referred to by Police Scotland as “containments” and by some groups as “kettling”.

Having considered some of the recently available evidence and met and had correspondence with some interested individuals and groups (for example, Netpol and the Article 11 Trust) , it seems to me that the IAG would not be in a position to reach definitive conclusions or adjudicate in those areas where there is dispute and conflicting evidence.

It is also possible that there are outstanding criminal proceedings relating to the Conference. If so, it is crucial that these not be prejudiced in any way.

I also note that further evidence is likely to be provided, for example, the research by IAG colleagues Professor Stephen Reicher and Doctor Michael Hamilton. It may be that the Authority will be better placed to look at matters when all evidence is available.

This letter includes some earlier material from the IAG in order that, to assist the Authority in its review of matters, our work might be considered in a single document.

### *Background*

From 31 October to 12 November 2021, the UK hosted the 26th UN Climate Change Conference of the Parties (COP26) in Glasgow.

Mindful of the need for, and benefits of, independent and transparent human-rights focused oversight, Police Scotland decided in 2020 to establish an Independent Advisory Group (“IAG”) for COP 26. I was asked to chair the Group and worked on identifying on key groups and individuals to be asked to join.

IAG members who agreed to join included environmental campaigners, members of civic society, Glasgow City Council, human rights experts (including representatives from national human rights institutions) and policing oversight bodies, as well as academics and a representative from the United Nations.

The full list of members of the Group is shown in appendix 1.

The IAG is a model that was reviewed for the SPA in an independent impact assessment that was published with the papers for the Board meeting on 30 June 2021<sup>1</sup>. That overview looked at the Operation Talla IAG which considered the use by Police Scotland of emergency powers related to the Covid pandemic. Among many wider issues, the Talla IAG considered the policing of protest and assembly in a pandemic, including issues around the priority to be given to peaceful assembly and protest even in the time of a major public health emergency. As such, some of its work was relevant to the work of the Urram IAG. The involvement of several members of the Talla IAG in the Urram IAG, including my role as Chair of both, assisted with continuity, especially as some Covid-related restrictions remained in place in law at the time of the Conference.

Within civic society as well as Police Scotland, there has been recognition of the significant value in the existence of such an IAG where regular conversations can take place with a diverse range of both delivery agencies and protest/third sector/human rights voices. Such a group provides a platform where policing can test its language, framing, communications and other key parts of strategy, as well as encouraging, amplifying and testing Police Scotland's position that respect for rights was to be at the core of the whole policing operation.

The Terms of Reference for the IAG are in appendix 2. These were finalised and agreed with the assistance of IAG members in early meetings.

Some relevant human rights principles and provisions are included in appendix 3.

### *Work of the IAG*

The Group met monthly from December 2020 (the main meetings are listed in appendix 4). Meetings took place using Microsoft Teams.

In addition to IAG members, there was attendance by key Police Scotland personnel and invited experts. A Home Office representative attended one meeting as an observer.

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<sup>1</sup> <https://www.spa.police.uk/spa-media/urvfjkfe/rep-b-20210623-item-9-3-impact-assessment-of-the-work-of-the-iag.pdf>

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At each meeting, Police Scotland offered an update on planning and engagement. Initially this was done by the Urram Gold Commander, ACC Bernard Higgins, and latterly by the Urram Lead for Strategic Engagement, ACC Gary Ritchie.

Members of the IAG were able to advise of ongoing COP26 related work within their own networks.

The IAG heard from Inspector Graeme Shearer about the role of Protest Liaison Teams.

We heard from Clare Ryan, a leading solicitor and legal adviser for some of the key protest groups and activists.

In April 2021, PERF (the US organisation Police Executive Research Forum) held a Webinar, Managing Demonstrations: New Strategies for Protecting Protesters and the Police. DCC Will Kerr spoke at the event. The event produced 10 recommendations, addressing planning, training, de-escalation and proportionate responses to mass demonstrations. IAG member Chuck Wexler (Executive Director at PERF) gave a presentation at the IAG on the findings and recommendations from that Webinar.

On 23 August, we held an IAG workshop at which we discussed in detail the PERF findings and recommendations mentioned above as well as associated human rights issues and challenges.

IAG members participated in the Authority's COP26 Policing and Protest Roundtable on 9 September. As you know, this online event was open to the public.

IAG members also took up the offer to view some of the public order training for COP 26 held at Craigiehall Camp in August and September 2021. These sessions were also attended by elected representatives, including MSPs as well as local councillors. We were able to speak with some of the Police Scotland trainers as well as witnessing various public order tactics at close range.

During the Conference, we arranged meetings for each week but also agreed that, if needed, we would convene additional meetings. In the event, we did so on Friday 5 November to discuss, among other things, one of the two containments. At that meeting, ACC Ritchie gave a more detailed explanation for some of the police deployments. The Group was able to discuss the explanations and explore some of the thinking in greater detail. It was recognised that, in relation to some explanations, for example, relating to intelligence received by the police, the extent of what could be said publicly might be limited, at least initially. Nonetheless, the Group discussed the question of communications more generally and there was consensus about the

need to release as much information as possible as soon as possible when it came to explaining particular police actions. ACC Ritchie also agreed to take back some suggestions for increased visibility of Liaison Officers.

In addition, at our meeting on 5 November, IAG member Michael Hamilton was present during a demonstration in Glasgow and “live-streamed” it for us using his mobile phone while providing commentary about what was happening.

As Chair of the IAG, I was invited through to the Multi-Agency Co-ordination Centre on 6 November 2021, one of the key protest/assembly days during the Conference. I was able to see the operation in action and to witness the early stages of assessment and engagement regarding a “lock-on” protest at King George V Bridge over the River Clyde.

At our meeting on 22 November, ACC Ritchie provided a detailed briefing on various aspects of the policing of the Conference, in particular regarding the number of arrests and complaints about police officers or action. Over the whole Conference, there were 97 arrests – a significantly smaller number than mentioned in discussions and planning. There were 24 known complaints at that time. Care must be taken when seeking to interpret such data but they offered some assurance as regards proportionality.

Since the conclusion of the Conference, I have considered the report from Netpol/Article 11 Trust (published in December 2021) and met with its authors and others in these groups. I am aware that the Netpol report has been submitted directly to Police Scotland and the Authority.

In addition, I have received correspondence and had some discussions with others, in particular about the containments.

I know that the criticisms of the policing of the Conference have been and will continue to be discussed within Police Scotland and the Authority. Likewise, the positives will also be discussed.

It may be that some IAG members will contribute additional thoughts, comments and suggestions through their own networks.

For my part, I see the establishment of an IAG as a further sign of an organisation that is mature and confident in its outlook as well as committed to ensuring that human rights are central to strategy, policy and practice. I am grateful to my colleagues on the IAG for sharing of their valuable experience and insight to our work.

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I am also grateful to Caitlin Barrett, Executive Support Officer to ACC Higgins, and T/Inspector Lynn Edwards, Staff Officer for ACC Gary Ritchie who provided the secretariat for the IAG.

### Appendix 1

#### *Members of the IAG*

John Scott QC Solicitor Advocate      *Chair*

Annemarie O'Donnell, Chief Executive, Glasgow City Council

Ephraim Borowski MBE, Chair of Police Scotland's National Independent Strategic Advisory Group (NISAG)

Megan Farr, Policy Officer, Children & Young People's Commissioner

Dr Michael Hamilton, Associate Professor in Public Protest Law, School of Law, University of East Anglia

Professor Stephen Reicher, School of Psychology and Neuroscience, University of St Andrews

Chuck Wexler, Executive Director, Police Executive Research Forum (PERF)

Kevin Morison, Chief Program Officer, PERF

Kevin O'Hanlon, Chief of Security, United Nations

Tom Halpin, Board member and Chair of COP26 Oversight Group, Scottish Police Authority

DCC Will Kerr, Deputy Chief Constable, Local Policing

ACC Bernard Higgins, Operation Urram Gold Commander, Police Scotland

ACC Gary Ritchie, Operation Urram Lead for Strategic Engagement, Police Scotland

Chief Superintendent Mark Hargreaves, Operation Urram Silver Commander, Police Scotland



Gill Imery, HM Chief Inspector of Constabulary in Scotland

Susan Kemp, human rights lawyer and former commissioner at the Scottish Human Rights Commission

Naomi McAuliffe, Scotland Campaigns Director, Amnesty International

Aamer Anwar, human rights lawyer and campaigner

Tressa Burke, Chief Executive Officer, Glasgow Disability Alliance

Brian Scott, Development Manager, Glasgow Disability Alliance

## **Appendix 2**

### *Terms of Reference*

Recognising the need for Police Scotland to deliver an event that is safe and secure for everyone in Glasgow during the Conference, the IAG will assist by advising on:

1. planning for, and implementation of, Operation Urram (Police Scotland's operation for COP 26) in order that the Operation is, and is seen to be, compliant with:
  - human rights principles and legal obligations, including those set out in the Human Rights Act 1998, the Scotland Act 1998 and the United Nations Convention on the Rights of the Child<sup>2</sup>. Of particular relevance are Articles 9 (freedom of thought, conscience and religion), 10 (freedom of expression) and 11 (freedom of assembly and association) of the European Convention on Human Rights and their equivalents in the ICCPR<sup>3</sup>. The IAG will be available to act as a sounding board on judgements about key human rights principles of lawfulness, proportionality and necessity.

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<sup>2</sup> The United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill was passed by the Scottish Parliament on 16 March 2021; it will incorporate the UNCRC directly into Scots law – see <https://beta.parliament.scot/bills-and-laws/bills/united-nations-convention-on-the-rights-of-the-child-incorporation-scotland-bill>. There are other international treaties and conventions of potential relevance, including, for example, the United Nations Convention on the Rights of Persons with Disabilities.

<sup>3</sup> Articles 18,19,21 and 22, ICCPR.

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- the values of Police Scotland – integrity, fairness and respect – and its 'safety and wellbeing' remit as laid out in the Police and Fire Reform Act (Scotland) 2012.
2. the development of voluntary and respectful relationships with:
    - the widest range of groups likely to attend the event and its environs, as well as related gatherings elsewhere in Scotland
    - the local community.
  3. the most effective approach to strategic communications, including tone and style, in order that peaceful assembly and protest activity feel welcome, and the general public feel able to go about their lawful business unhindered, and that policing decisions are explained to the greatest extent possible.

### Appendix 3

#### *HUMAN RIGHTS AND PEACEFUL ASSEMBLIES – RELEVANT PRINCIPLES*

The recently adopted United Nations Human Rights Committee's General Comment No. 37 on Article 21 of the International Covenant on Civil and Political Rights (ICCPR) – Right of peaceful assembly<sup>4</sup> emphasises that

*“States parties must ensure independent and transparent oversight of all bodies involved with peaceful assemblies, including through timely access to effective remedies, including judicial remedies, or to national human rights institutions, with a view to upholding the right before, during and after an assembly.”*<sup>5</sup>

The IAG is part of the realisation of this principle.

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<sup>4</sup> <https://www.ohchr.org/EN/HRBodies/CCPR/Pages/GCArticle21.aspx> providing guidance on the right to peaceful assembly guaranteed by this treaty. The ICCPR is binding on the Scottish Government and public authorities, even though it is not given direct effect in law like ECHR under the Human Rights Act/Scotland Act.

<sup>5</sup> Paragraph 29

The General Comment offers a useful reminder and summary of other relevant principles which should inform the work of the IAG, and is worth quoting:

1. *The fundamental human right of peaceful assembly enables individuals to express themselves collectively and to participate in shaping their societies. The right of peaceful assembly is important in its own right, as it protects the ability of people to exercise individual autonomy in solidarity with others. Together with other related rights, it also constitutes the very foundation of a system of participatory governance based on democracy, human rights, the rule of law and pluralism. Peaceful assemblies can play a critical role in allowing participants to advance ideas and aspirational goals in the public domain and to establish the extent of support for or opposition to those ideas and goals. Where they are used to air grievances, peaceful assemblies may create opportunities for the inclusive, participatory and peaceful resolution of differences...*
6. *Article 21 of the Covenant protects peaceful assemblies wherever they take place: outdoors, indoors and online; in public and private spaces; or a combination thereof. Such assemblies may take many forms, including demonstrations, protests, meetings, processions, rallies, sit-ins, candlelit vigils and flash mobs. They are protected under article 21 whether they are stationary, such as pickets, or mobile, such as processions or marches.*
7. *In many cases, peaceful assemblies do not pursue controversial goals and cause little or no disruption. The aim might indeed be, for example, to commemorate a national day or celebrate the outcome of a sporting event. However, peaceful assemblies can sometimes be used to pursue contentious ideas or goals. Their scale or nature can cause disruption, for example of vehicular or pedestrian movement or economic activity. These consequences, whether intended or unintended, do not call into question the protection such assemblies enjoy. To the extent that an event may create such disruptions or risks, these must be managed within the framework of the Covenant.*
8. *The recognition of the right of peaceful assembly imposes a corresponding obligation on States parties to respect and ensure its exercise without discrimination. This requires States to allow such assemblies to take place without unwarranted interference and to facilitate the exercise of the right and to protect the participants. The second sentence of article 21 provides grounds for potential restrictions, but any such restrictions must be narrowly drawn. There are, in effect, limits on the restrictions that may be imposed...*

21. *The Covenant imposes the obligation on States parties “to respect and to ensure” all the rights in the Covenant (art. 2 (1)); to take legal and other measures to achieve this purpose (art. 2 (2)); and to pursue accountability, and provide effective remedies for violations of Covenant rights (art. 2 (3)). The obligation of States parties regarding the right of peaceful assembly thus comprises these various elements, although the right may in some cases be restricted according to the criteria listed in article 21.*

22. *States must leave it to the participants to determine freely the purpose or any expressive content of an assembly. The approach of the authorities to peaceful assemblies and any restrictions imposed must thus in principle be content neutral, and must not be based on the identity of the participants or their relationship with the authorities. Moreover, while the time, place and manner of assemblies may under some circumstances be the subject of legitimate restrictions under article 21, given the typically expressive nature of assemblies, participants must as far as possible be enabled to conduct assemblies within sight and sound of their target audience.*

23. *The obligation to respect and ensure peaceful assemblies imposes negative and positive duties on States before, during and after assemblies. The negative duty entails that there be no unwarranted interference with peaceful assemblies. States are obliged, for example, not to prohibit, restrict, block, disperse or disrupt peaceful assemblies without compelling justification, nor to sanction participants or organizers without legitimate cause.*

24. *Moreover, States parties have certain positive duties to facilitate peaceful assemblies and to make it possible for participants to achieve their objectives. States must thus promote an enabling environment for the exercise of the right of peaceful assembly without discrimination, and put in place a legal and institutional framework within which the right can be exercised effectively. Specific measures may sometimes be required on the part of the authorities. For example, they may need to block off streets, redirect traffic or provide security. Where needed, States must also protect participants against possible abuse by non-State actors, such as interference or violence by other members of the public, counterdemonstrators and private security providers.*

## **Appendix 4**

### *Meetings of the IAG*

18 December 2020

25 January 2021

22 February 2021

22 March 2021

3 May 2021

21 June 2021

26 July 2021

23 August 2021 (workshop)

30 August 2021

4 October 2021

28 October 2021

2 November 2021

5 November 2021

9 November 2021

22 November 2021