

Meeting 17th July 2020 13:00 – 15:00

Members attending:

John Scott QC, Solicitor Advocate (Chair)

Ephraim Borowski, Chair of the National Independent Strategic Advisory Group

Tressa Burke, CEO Glasgow Disability Alliance

Martyn Evans, Scottish Police Authority

Maria Galli, CYPCS

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, Scottish Women's Autism Network

Apologies:

Aamer Anwar, Solicitor and Human Rights campaigner

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

Dr Elizabeth Kelly, NHS Scotland and Associate Carnegie UK Trust

DCC Will Kerr, Police Scotland

Brian Scott, Glasgow Disability Alliance

Secretariat support:

Jennifer Blackwood, SPA Communications

Eleanor Gaw, SPA Community Accountability

John McCroskie, SPA Director of Communications and Relationships

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1. Welcome and introductions

The Chair welcomed members to the meeting.

2. Note of the previous meeting and matters arising

The Chair confirmed that his letter on behalf of the group, focusing on the implications of new legislation and the use of face masks, had been received by the SPA Vice Chair. It was agreed that this correspondence would be made available on the IAG web pages.

The SPA Vice Chair has subsequently been in touch with DCC Kerr and with Scottish Government sponsors to highlight the matter. John McCroskie updated members that Scottish Government Police Division has confirmed that the matter is kept under consideration within the programme of review they have established with retailers, police and other stakeholders.

Members cited a number of specific examples they had been made aware of which caused concern, including examples of people who are unable to wear a mask having difficulty being allowed to enter certain shops.

ACC Ritchie reported that overall there have been very high levels of compliance with the new regulations on masks, with very small numbers of incidents reported to the police or requiring police attendance. ACC Ritchie has been involved in related meetings with Scottish Government and retail consortia representatives, and the feedback from retail has been that the consistent approach across policing in Scotland has been extremely helpful.

3. Joint meeting of the SPA on the work of the Independent Advisory Group on 30 July 2020

The group discussed and provided feedback on a draft proposal and structure for this event.

The overall consensus was that the draft be redrawn to reflect the group's desire for an extended introductory session with input from IAG members attending for the first part of the meeting, rather than a panel based approach. The second part of the meeting would then focus on Q&A and questions.

Martyn Evans indicated that the Board would welcome an opportunity for discussions to clearly draw out the issues where things have gone well, any potential for improvement or markers for the future, and offer a clear indication of the group's perspectives on policing during Phase one ('lockdown'). The context of extraordinary powers for policing and significant impact on the general public, as well as specific groups, should not be overlooked.

Members agreed that the overall event might draw out the role of impact assessments and the wider role of NISAG; the data and evidence; community perspectives and contributions; human rights focus; the role of ongoing community engagement; and the challenge of divergent public views on whether there is a need for less or more stringent police enforcement.

The event will be livestreamed, and the recording made available online retrospectively and in sections, to make it easier to access specific elements of the discussion.

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Action: Eleanor Gaw will circulate an updated draft for the event, based on members' feedback.

Action: Secretariat will share template letters to request questions and to raise awareness of the online seminar, for IAG members to share with their contacts and community partners.

Action: All IAG members will reach out to their own networks to encourage questions to be submitted for the event.

4. GDA Advice on Interactions with Disabled People

Tressa Burke introduced this advice document, which was informed by GDA telephone discussions with 4000 disabled people, or around 4/5 of their members. GDA also ran an additional focus group for those who have had direct police interaction during the period.

Tressa indicated that the background is one in which, before the Coronavirus crisis, many disabled people were already struggling, and the emergency situation has exacerbated this for many people. Hidden disability, including autism and mental health issues, and intersectionality where people may be experiencing multiple discrimination, were particular concerns.

Discussions focused on the need for clear communication and some of the challenges in communicating effectively with people who have different needs; the need for the use of discretion by police; and that the "common sense" approach on Covid-19 did not serve all sections of the community equally well, particularly those with autism.

GDA already works with Police Scotland on approaches to hate crime, and it was noted that there is scope to involve them further in training on hidden disabilities.

Members were extremely positive about the report, which offers insight into "lived experience", and reflects a very significant body of work in a field where there is little comparable research.

The Chair thanked Tressa for the report, which will be included as an Appendix in the IAG report to the SPA Board in August.

Action: ACC Ritchie will discuss further within Police Scotland, to look at options for involving GDA to enhance training in engaging with disabled people, and especially those with hidden disabilities.

Action: Secretariat will log for inclusion as Appendix to the report to the SPA Board 19th August.

5. Data and evidence

- Data refresh
Professor McVie introduced a draft paper on the revised "data ask". There was some discussion on the need to consider whether detailed analysis of data is required for each phase of lockdown, including what in some cases will be very small numbers of FPNs. This will be considered further at OpTICAL.
The Chair briefed members that he has been in touch with the Scottish Courts and Tribunal Service, to seek an additional source of data on the

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next stage of FPNs, including the number of fines paid, outstanding, or withdrawn.

The need to align the data ask with the Terms of Reference was noted. Members are asked to consider if there is a need for a further set of police officer and staff interviews, and the group's priorities for report to the August SPA Board, including any alignment of data with phases of lockdown.

Naomi McAuliffe noted that where there have been barriers to recording/accessing data related to Covid-19, and which have led to a data request by Amnesty Scotland being withdrawn, there is a willingness to work with Police Scotland to overcome some of these challenges in future.

Professor McVie anticipates further data sets relating to the impact on children and young people to become available shortly.

Members are asked to offer feedback to Professor McVie to inform OpTICAL discussions, and the "data ask" will be considered further at the IAG 31st July.

It was agreed that Martin Smith / Barry Sillers (SPA) should be invited to a future meeting to brief members on the SPA public survey on Covid-19. Kirsty-Louise Campbell, Police Scotland Head of Strategy and Innovation, will attend the IAG on the 7th August to brief members on the Police Scotland "Your Police" survey.

Action: All members to provide feedback to Professor McVie on the paper and requirements to fulfil IAG brief as per Terms of Reference, ahead of discussions on the 31st July.

Action: Secretariat to confirm invitations with Kirsty-Louise Campbell and Martin Smith

Action: Secretariat to recirculate most recent paper on SPA Public Survey on Covid-19.

- Citizen Space Update

One additional response had been received over the course of the week. The Chair asked all members to continue to promote the portal, and a link will be included in the letter inviting questions and raising awareness of the IAG / SPA online seminar.

6. AOCB

The Chair and ACC Ritchie will liaise on making contact with police representatives in Leicester and Australia, with a view to getting direct feedback on policing of local lock downs.

7. Date of next meeting

Friday 24th July 13:00

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