

**Meeting Friday 26 June 2020 12:00 – 14:00**

**Members attending:**

John Scott QC, Solicitor Advocate (Chair)

Ephraim Borowski, Chair of the National Independent Strategic Advisory Group

Martyn Evans, Scottish Police Authority

Maria Galli, CYPCS

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

Dr Elizabeth Kelly, NHS Scotland and Associate Carnegie UK Trust

John Logue, Deputy Crown Agent Operational Support, COPFS

Naomi McAuliffe, Programme Director Scotland, Amnesty International

Professor Susan McVie, University of Edinburgh

ACC Gary Ritchie, Police Scotland

Brian Scott, Glasgow Disability Alliance

Dr Catriona Stewart, Scottish Women's Autism Network

**Apologies:**

Bruce Adamson, CYPCS

Aamer Anwar, Solicitor and Human Rights campaigner

Tressa Burke, Glasgow Disability Alliance

Susan Kemp, SHRC

DCC Will Kerr, Police Scotland

Diego Quiroz, SHRC

**Secretariat support:**

Jennifer Blackwood, SPA Communications

Eleanor Gaw, Community Accountability

John McCroskie, SPA Director of Communications and Relationships (until 2 pm)

## OFFICIAL

### 1. Welcome and introductions

The Chair welcomed members to the meeting.

The Chair briefed members that having reviewed a range of commitments and capacity, EHRC members have indicated that they will no longer be able to commit membership of the IAG, but will remain in touch and sit alongside the group in an advisory capacity.

### 2. Minutes of previous meeting and matters arising

ACC Ritchie updated the group on recent policing activity with regard to Covid-19 and public space. Some of the challenges had been linked to ensuring public safety, when large numbers of people have made a decision to exercise or spend time in public parks at the same time, notably in Kelvingrove. There had been challenges in ensuring social distancing and some breaches of local byelaws on consumption of alcohol in public places.

Preparations in health and across the public sector for any potential second wave were noted. Police Scotland are ensuring that learning from recent protocols and experience is captured. ACC Ritchie indicated the service is well placed to put “what works” speedily in place should that be required in future, or if any local restrictions are implemented. The role of other bodies, and in particular local authorities, would in these circumstances be key.

Members referenced the work of Dr Michael Rosie on marches and parades, and an invitation has been extended to Dr Rosie to contribute to IAG discussions.

### 3. 30<sup>th</sup> June Report to the SPA Board

The Chair outlined the key points referenced in his draft report to the SPA Board for 30<sup>th</sup> June SPA meeting, and members discussed the content. The Chair indicated that further revision will be undertaken in response to member feedback and to take account of the findings of Professor McVie’s Interim Report on Data.

The overall report submission will comprise –

- The report from the IAG Chair

As appendices

- SHRC Human Rights Guide
- Briefing note from CYPCS
- HMICS: Independent Advisory Group Report on Interviews with Police Scotland Officers and Staff
- Interim report on data for the Independent Advisory Group on Police Use of Temporary Powers related to the Coronavirus Crisis
- Terms of Reference
- Updated work plan

OFFICIAL

## OFFICIAL

### **Chair's Draft Report**

Members welcomed the Chair's draft report and indicated they are content with the findings. Additional suggestions included providing an iteration of the IAG's assessment of Police Scotland's delivery specific to Phase 1, ahead of easing regulations; emphasising the important role played by the use of discretion; and referencing the impact of the policing of protests in recent weeks.

### **Interim Data Report**

Professor McVie introduced her interim report on data. She highlighted the temporal analysis, and also where additional analysis and links with other data sets and pieces of work can be made in coming months – for example with the work of Fran Warren in Justice Analytical Services, and with the work led by Professor Roger Halliday.

She highlighted that Police Scotland has the only COVID-19 data system of any police service across the UK and is well placed to understand the impact of COVID-19 response, and the shift from policing the pandemic to policing during the pandemic. One area where more evidence would be particularly welcome is on the "fairness" and the impact of the approach on particular groups.

The disproportionate impact of the virus on already disadvantaged groups however is well documented. Dr Kelly suggested that the group invite input from the CEO of Public Health Scotland to discuss tying together cross service approaches and our shared understanding of the disproportionate impact of COVID-19.

The Chair referenced his own discussions with the Bishop of Manchester with regard to similar oversight work to be undertaken in England with Mike Stamp (Director of Legal, Devon and Cornwall Police and National Police Chiefs' Council Lead on human rights), and that there is a recognition that Scotland is leading the way with a dedicated IAG on police use of the temporary powers.

The importance of context and examples from lived experience in understanding the data was particularly highlighted. Additional survey work undertaken by SWAN Scotland and GDA was noted, with findings pending.

Members considered the work of Professor McVie and her team to be extremely high quality and welcomed the report and the Chair thanked her for producing this significant piece of work.

### **HMICS Report on Interviews with Police Scotland Officers and Staff**

Gill Imery introduced the amended report with additional illustrations and examples included. Members welcomed the final report, and the Chair thanked Gill and her team for an excellent piece of work undertaken at pace.

It was proposed that a follow up survey at a later stage in the pandemic response would be helpful. Gill indicated that HMICS would offer support for any further round of interviews.

OFFICIAL

**OFFICIAL**

**Actions:**

**ALL:** Members are asked to provide feedback to the Chair on his report, and to Professor McVie on the Interim Report on data over the next 48 hours.

**M. Galli:** Will provide updated CYPCS report for inclusion

**S. McVie:** Will update the Interim Data report and provide any additional commentary, for circulation to the Board 29 June

**Chair/ Secretariat:** The final report and suite of papers will be shared with the SPA first thing 29 June.

**S.McVie:** will share data from England and Wales with ACC Ritchie

**For referral to OptICAL:** consideration of timing for follow up interviews with police officers and staff

**4. AOCB**

**4.1 Citizen Space Portal** update was provided by Jennifer Blackwood

	<b>26 June</b>	<b>19 June</b>
Responses	50	40
% with police contact	17 (34%)	13 (32.5%)
% opinion of police unchanged	34 (68%)	27 (67.5%)
% opinion of police worse	5 (10%)	5 (12.5%)
% opinion of police better	8 (16%)	6 (15%)
Age Group (most responses)	16 45-54	13 45-54
	No under 18s	No under 18s
Male/Female	24/23; (48%/46%)	19/18; (47.5%/45%)
BAME	6	5
Happy to be contacted	16 or 32%	11 or 27.5%
Happy for response to be made public	36 or 72%	29 or 72.5%

## OFFICIAL

### **Discussion:**

The Chair referenced the suggestion from Fiona Miller that the IAG approach Young Scot, to engage their assistance in hearing from young people. The Chair will discuss a range of options for gathering perspectives from children and young people with CYPSCS.

**4.2 Correspondence from Amnesty International** to the Chief Constable on the use of spit hoods.

N. McAuliffe outlined Amnesty's concerns with regard to the use of spit hoods in England and Wales Northern Ireland. Amnesty has written to police services across the UK requesting that spit hoods are not used in relation to COVID-19.

Police Scotland has confirmed that spit hoods are not used in Scotland in COVID-19 response, and the IAG has a clear assurance from Police Scotland that this is the case.

Naomi asked that the group consider the issue in making its final recommendations on good practice.

**4.3 OpTICAL.** The Group discussed the potential benefit of the OpTICAL group's work continuing beyond the pandemic. It was noted that E.Borowski as NISAG Chair is now a member of OpTICAL.

**4.4 Meeting frequency.** The Chair indicated that the group will meet twice week beginning 29<sup>th</sup> June. The meeting on Monday 29<sup>th</sup> may be of shorter duration, but will focused on allowing the group to consider the data and analysis provided by Professor McVie in more detail.

Thereafter, the frequency of meetings may be reviewed with a view to transitioning to one slightly longer meeting per week.

**Date and time of next meeting: Monday 29 June 15:00**

OFFICIAL