

SCOTTISH POLICE
AUTHORITY

AUTHORITY MEETING

19 January 2022

**Minute of the SPA Authority Meeting held on Wednesday, 19
January 2022 via Video-conference**

Board Members Present: Martyn Evans (Chair)
Jane Ryder (Vice Chair)
Paul Edie
Tom Halpin
Alasdair Hay
Katharina Kasper
Grant Macrae
Michelle Miller
Mary Pitcaithly
Catriona Stewart
Caroline Stuart

Board Member Apologies: Fiona McQueen

In attendance: Police Scotland
Chief Constable Iain Livingstone
Deputy Chief Constable Will Kerr
Deputy Chief Constable Malcolm Graham
Deputy Chief Officer David Page
James Gray, Chief Financial Officer
Detective Chief Superintendent Laura McLuckie (Item 7)

Scottish Police Authority (SPA)
Chris Brown, Acting Chief Executive, Resources
Barry Sillers, Acting Chief Executive, Strategy and
Performance

SPA Secretariat
Eleanor Gaw, Governance and External Relations Lead
Karen Vallance, Governance Support Officer

1. WELCOME AND STANDING ITEMS

The Chair opened the meeting and welcomed all Authority Members and representatives from the Police Scotland senior leadership team. He confirmed Jane Ryder would chair the meeting if he were disconnected from the video-conference.

The Authority **RESOLVED** to:

- **NOTE** apologies from Fiona McQueen;
- **NOTE** no other declarations of interest;
- **NOTE** no other business;
- **AGREE** that, in accordance with paragraph 20 of the SPA Standing Orders, the Board would consider items 8 and 9 in private for the reasons set out on the agenda.

2. MINUTES AND ACTIONS FROM PREVIOUS MEETING

The Authority **RESOLVED** to:

- **ADOPT** the minute of the 24 November 2021;
- **NOTE** the action log and that there were no matters arising.
- **NOTE** decisions made by correspondence since the last Authority meeting relating to morbid toxicology equipment and purchase of electric vehicles.

3. SPA CHAIR'S REPORT

The Chair referred to his written report highlighting he had attended Vic Emery's funeral with the Chief Constable to pay respects and offer condolences to his family. The Chair also congratulated DCC Will Kerr (DDCKerr) on his election to the Executive Board of Interpol.

The Board **RESOLVED** to:

- **NOTE** the report.

4. COMMITTEE CHAIR'S REPORT

Members considered the report which provided an update on business progressed since the last Authority meeting through the:

- Legal Committee
- Complaints and Conduct Committee
- People Committee
- Policing Performance Committee
- Resources Committee
- Policing of COP26 Oversight Group

In addition to the reports tabled, the following points were highlighted:

- Paul Edie, Legal Committee Chair, highlighted the Committee discussed NDA's and sought and received assurance that they are used sparingly but when used, are within ACAS guidelines.
- Alasdair Hay, Complaints and Conduct Committee Chair, provided an update on progress against open actions from the Dame Elish review. Members heard 31 recommendations have SPA involvement, 12 of which are either lead by SPA or jointly lead with the Scottish Government. 7 recommendations are complete with the remaining 5 on track to be completed by Quarter 2, with the caveat that there dependencies on other agencies. Recommendations under Police Scotland's lead are also progressing, with additional oversight from HMICS, and Police Scotland has committed to providing more detail to the next Complaints and Conduct Committee. The Chair emphasised some recommendations require legislative change, on which the Authority will be consulted in due course.
- Mary Pitcaithly (MPitcaithly), People Committee Chair, noted Members are keen to see the outcome of the HMICS inspection of workforce planning and the People Committee will keep track. The Chair added he had discussed the inspection with HMICS, and as it will be in a new format, greater intensity of preparation and collaboration was is expected, with a requirement for a self-evaluation against indicators and evidence. The Chair suggested he meet with MPitcaithly and David Page (DCOPage) to discuss.
- Tom Halpin, Policing of COP26 Oversight Group Chair, noted the group were encouraged by the results of the polling undertaken by SPA in relation to the policing of COP26, highlighting that more than 80% were satisfied with the policing of the conference.

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- Grant Macrae, Resources Committee Chair, highlighted further discussion was requested on how benefits arising from transformation can be best reported within the Annual Report and Accounts. As electric vehicle purchases increase, the Committee agreed it would be helpful to have a lessons learned review. DCOPage added that the target is to have 1,000 electric vehicles by the end of summer 2022 which equates to 30% of the fleet. Police Scotland is leading against other UK forces in this area as the strategy was initiated early. DCOPage noted Police Scotland were grateful for additional investment from Scottish Government.

The Board **RESOLVED** to:

- **NOTE** the report
- **AGREE** the following action:

The Chair, Mary Pitcaithly and David Page to meet to discuss HMICS inspection of the Strategic Workforce Plan.

190122-SPABM-001

5. CHIEF CONSTABLE'S REPORT

Chief Constable Iain Livingstone (CCLivingstone) provided a detailed summary of the paper, specifically drawing attention to the following areas:

- Recent murder investigations, drug recoveries and significant convictions
- Road Safety
- Domestic Abuse Campaign
- Festive Period Demands
- Operation Talla
- Senior Leadership Team
- Police Scotland Officers Honoured
- Officer and Staff Recognition

In addition to the written report, CCLivingstone referred to the Chair's comments on the death of Vic Emery, stating he had attended his funeral to pay both his respects and those of all within Police Scotland.

CCLivingstone commented that Vic was highly regarded as an industrialist across the world and particularly in Scotland where he was enormously

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respected for his public service. He played a significant role in shaping policing in Scotland as it is known today, both as Chairman of the Scottish Police Services Authority and as the first Chair of the SPA. CCLivingstone stated he was deeply saddened by his death and his thoughts were with his family.

In discussion the following matters were raised:

- The Chair referred to the ongoing recruitment of Assistant Chief Constables, noting the appointments of Senior Officers was critical to the SPA, and the Chair relies on the Chief Constable to provide professional advice in making these appointments.
- The Chair referred to CCLivingstone's statement regarding the three unsolved murders that remain outstanding since the creation of Police Scotland, and sought further comment. CCLivingstone responded that the statistical relevance of those figures was clear and it would be difficult to find comparative levels regarding criminal deaths. CCLivingstone further responded that the low number of unsolved murders, culpable homicides and unexplained deaths were evidence of the professional competence, commitment and high ethical standards of all of Police Scotland's officers and staff and Police Scotland's commitment to protecting the rights of victims, the community and accused persons.
- Members sought comment on the use of drones in missing person's cases. CCLivingstone confirmed high risk missing persons are included within the daily incidents of note prepared by C3 and missing persons are a key part of police responsibility owned by local policing but supported by specialists. CCLivingstone added that the use of drones for public safety and wellbeing is crucial, and drones had been used almost 100 times in this regard since the start of the financial year. DCKerr added there were 14370 reports of missing people last year, many of whom were children and young people.
- Members sought clarity on the role of Police Scotland within the Drugs Death Taskforce and heard that Police Scotland's commitment has not altered since the change in leadership. ACC Ritchie remains the Police Scotland lead and had met with the new Chair. Police Scotland will engage in robust enforcement and will work with the drugs taskforce to get the best use of public services to tackle the problem effectively.

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- Members sought comment on the use of Naloxone and heard the full report on the test of change programme is expected and a decision on next steps will be taken thereafter.
- Members referred to a televised documentary which reported that some UK forces had cut road policing capability and sought Police Scotland's position. CCLivingstone confirmed the road policing capability had not been cut in Scotland and emphasised that in his view, the single service had allowed roads to be policed more effectively as policing is not constrained or impacted by regional boundaries. DCC Malcolm Graham (DCCGraham) highlighted that despite an increase of 30% more vehicles on the roads since 1996, there had been sustained casualty reduction and partnership working continues to be of benefit. The only category of road accidents which had increased had been pedal cyclists. The number of specialist road officers remain the same but deployment had altered due to a change in tactics.
- Regarding the drive insured campaign, Members heard it was an encouraging example of innovative and collaborative working between Police Scotland and other agencies. Online records held by multiple organisations assist in highlighting the correlation between not insuring or taxing cars and other crimes, and supported targeted activity in respect of individuals who were breaking the law, and making best use of resources.
- Regarding mental health and wellbeing, CCLivingstone commented there had been a cultural change within Police Scotland over the last 2-5 years with mechanisms in place such as wellbeing champions embedded within teams and employee assistance programmes.
- Members questioned how drink and drug driving convictions translates to safer roads. CCLivingstone commented there had been a cultural shift in attitudes towards drink driving and the public were very supportive of drink and drug driving campaigns. Whilst not the sole reason for the reduction in road collisions, Police Scotland's activity has made a significant impact. How quickly offenders come to justice is a matter for the criminal justice system however Police Scotland continue to work with partners to ensure people are held to account. DCCGraham added that new drug driving legislation provides the capability to track the overall picture, however more collaborative work is required in areas of the country that are drug

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- dependent. An education, engineering and enforcement approach is taken in relation to roads policing, with a focus on educating.
- Members sought comment on strategic issues discussed through recent Local Government engagement. CCLivingstone acknowledged that at times there had been a lack of strategic engagement with local government in previous years however there is now a commitment to address and improve this and the experience of the pandemic highlights how important those relationships are. DCC Kerr advised regular twice yearly meetings with scrutiny conveners are held with additional bespoke briefings. Chief Executives and Senior Officers meet to discuss strategic topics, some of which are highlighted through public surveys.
 - Regarding recent Covid-19 impacts on staff, Members heard staff absences were beginning to reduce and steps had been taken to increase capacity in internal areas most impacted. Staff movement to assist capacity issues due to Covid-19 is likely to continue until February. CCLivingstone confirmed contingency plans are in place and C3 performance had been strong as a result, with no detrimental impact to the response of C3 calls.
 - Members sought comment of the progress of the estates strategy, and heard positive progress continued to be made, with the whole infrastructure being brought in-line with Health and Safety standards. The recent condition survey indicated 69% of estates were deemed satisfactory. Work also continues with partners to move staff into better buildings whilst reducing costs. Whilst acknowledging there is still significant work to do, the CCLivingstone welcomed the capital investment provided by the Scottish Government and looked forward to the continuing support from the SPA Board in the furtherance of the Estates Strategy. DCOPage supported these comments by explaining the ongoing programme of condition surveys and the primary importance that is placed on Health and Safety for Officers, staff and the public. DCOPage also reminded Members that People and Development and Wellbeing were heavily involved in the development and implementation of the Estates Strategy.
 - In closing, the Chair noted the organisation's estate reflects what policing is, and improving estates was a shared priority with other partners. The Chair also confirmed SPA's commitment to work with local government in preventative work.

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The Authority **RESOLVED** to:

- **NOTE** the paper.

6. SPA CHIEF EXECUTIVE'S REPORT

Members considered the report which detailed activities involving SPA corporate staff since the previous Authority Meeting. Chris Brown (CBrown) highlighted a number of key points as detailed in the paper, and advised that the Audit, Risk and Assurance Committee will be informed at its meeting on 20 January 2022 that all recommendations from the HMICS Thematic Inspection of the SPA will be discharged. CBrown thanked SPA, Police Scotland and HMICS on the achievement of this significant milestone.

JRyder highlighted the interest generated from the Independent Custody Visitor Scheme Annual Review, in particular to welfare of children in custody, and acknowledged progress by staff in leading the review of an internal improvement plan to support visitors.

Members sought more information on the further improvements anticipated in relation to FOIs. CBrown confirmed the Authority will be publishing details of all FOIs received and responded to, via a quarterly disclosure log, which will provide transparency and potentially reduce duplication of requests.

The Chair thanked CBrown and Barry Sillers for the work undertaken in their role as Interim Chief Executives.

The Authority **RESOLVED** to:

- **NOTE** the report

7. VIOLENCE AGAINST WOMEN AND GIRLS

Members considered the paper which provided an update of ongoing work to improve Police Scotland's efforts to tackle violence against women and girls in all its forms. The paper also outlined the commitment to build on existing public trust and confidence, through delivery of systemic and sustainable change across the organisation. DCCGraham and Detective Chief Superintendent Laura McLuckie (DCSMcLuckie) highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

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- Members sought further information on internal and external engagement and heard Police Scotland have the ability to gain and analyse information, and the heart of the approach is to translate strategies and clear leadership intentions into consistent action. Police Scotland is addressing a series of issues through internal engagement in collaboration with external agencies with the aim to have a common understanding to ensure a shift in behaviours and thinking. In terms of external engagement, Members heard work is progressing to build on existing relationships with stakeholders including statutory justice partners. Policing Performance Committee Chair Michelle Miller welcomed the acknowledgement of the link between external issues and internal culture within Police Scotland.
- Members heard CCLivingstone met with survivors and Rape Crisis Scotland, where feedback was positive but with a number of recommendations on where areas could be improved. An External Reference Group has been set up to receive and progress feedback which will form a wider part of the public protection and development programme.
- Members were informed that female genital mutilation statistics are included within rape and serious sexual crime statistics.
- The Chair requested the Policing Performance Committee be provided detail on what aspects of quality assurance on service standards are working well, and what areas require improvement.
- Members questioned whether Police Scotland can support other partner organisations in receiving appropriate resources to assist in tackling issues. DCCGraham noted other statutory organisations are under the same pressure in terms of responding to issues and Police Scotland have faced those challenges by maintaining resource in public protection. Delays within the justice sector have had an impact on victims to which Police Scotland are responding by working with volunteer organisations in the third sector. In relation to the impacts from the justice system, solutions are captured within Lord Justice Clark's report on examining prosecution of serious sexual crime which the organisation is supportive of.
- Members requested the Policing Performance Committee be provided detail, in tabular form, of yearly percentage increases of sexual crime, domestic abuse and online sexual abuse from the last five years.

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- Members sought comment on Police Scotland work with local partners in relation to vulnerable persons, and heard a robust system was in place through the vulnerable person database. Reports are assessed through the concern hub at which point a multi-agency decision is taken. Learning is taken from each inspection with local and national action plans developed.
- Members were informed a business case developed by the Public Protection Development Programme would likely have a financial implication. The Chair noted a paper on public protection was scheduled to come to a future Authority meeting, and those implications are expected to be included.
- Members sought comment on the increase of reports of spiking by injections. DC SMcLuckie advised Members reporting of spiking gained attention in September/October 2021 and regular Gold Groups took place. Members heard reported cases had significantly reduced albeit the closure of nightclubs due to Covid-19 restrictions may have had an impact. DC SMcLuckie confirmed forensic results had confirmed there had been no cases of spiking by injections in Scotland.
- Members discussed where else would be seen as exemplars in this area and heard Police Scotland are at the forefront of acknowledging the scale and extent of the issues.
- CCLivingstone stated that the organisation's commitment and approach does not sit in isolation from other Police Scotland work. Activity will continue with key partners to highlight Police Scotland's role and what front line policing covers. CCLivingstone also highlighted the recognition of leadership commitment is a prerequisite of improvement and change.
- The Chair complemented the service on the success of the "That Guy" campaign and the rapid introduction of the officer verification process and emphasised the focus of work should now be on narrowing any delivery gap between strategy and service standards.
- The Chair proposed a stakeholder seminar be scheduled by the Authority to discuss the proposed bespoke strategy once it is draft form.

The Authority **RESOLVED** to:

- **NOTE** the report
- **AGREE** the following actions:

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Policing Performance Committee to be provided detail on: a) which aspects of quality assurance on service standards are working well, and what areas require improvement. B yearly percentage increases of sexual crime, domestic abuse and online sexual abuse from the last five years, in tabular form.

190122-SPABM-002

Further discussion to be held at future Board Seminar.

190122-SPABM-003

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