



## Policing Performance Committee

15 June 2023

Minutes of the Policing Performance Committee held on 15 June 2023 via Live Stream

Board Members present:	Alasdair Hay (Chair) Michelle Miller Katherina Kasper Mary Pitcaithly, OBE Tom Halpin, QPM Cllr Chalmers Jane Ryder (Observer)
Board Member apologies:	
In attendance:	<u>Scottish Police Authority (SPA)</u> Barry Sillers, Director of Strategy and Performance Amanda Coulthard, Head of Strategy and Performance Scott Ross, Head of Change and Operational Scrutiny Karen Morgan, Governance Support Officer  <u>Police Scotland (PS)</u> Deputy Chief Constable Fiona Taylor Assistant Chief Constable Tim Mairs Assistant Chief Constable Wendy Middleton Assistant Chief Constable Andy Freeburn Assistant Chief Constable Mark Williams Assistant Chief Constable Emma Bond Assistant Chief Constable David Duncan Chief Supt Gordon McCreadie Detective Chief Supt Suzanne Chow Detective Chief Supt Stuart Houston Chief Supt Matt Richards

	<p>Supt Brian Anderson Chief Insp Briony Daye Tom McMahon, Director of Strategy and Analysis Kirsty-Louise Campbell, Head of Strategy and Innovation Christina MacLucas, Principal Analyst Denis Hamill, Chief Data Officer Andrew Hendry, Chief Digital and Information Officer Nicola Hamilton, Senior Planning and Performance Officer Inspector Becky Lidster Veronika Burgess, Committee Services Officer</p> <p><u>HMICS</u> HMICS Craig Naylor Ray Jones Louise Raphael</p> <p><u>COSLA</u> Elisa Bevaqua</p> <p><u>SCOTTISH GOVERNMENT</u> Rab Mackay <u>SCOTTISH BIOMETRICS COMMISSIONER</u> Dr Brain Plastow Diego Quiroz</p> <p><u>NATIONAL CRIME AGENCY</u> Gerry McLean Derek Moore</p> <p><u>INDEPENDENT CUSTODY VISITOR</u> Susan Stokes</p>
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**1. WELCOME AND STANDING ITEMS**

The Chair welcomed everyone to the meeting being held via MS Teams. There were no apologies.

**1.2 DECLARATIONS OF INTEREST AND CONNECTIONS**

There were no declarations of interest or connections.

### **1.3 MINUTE FROM MEETING OF POLICING PERFORMANCE COMMITTEE FOR 16 MARCH 2023, FOR APPROVAL**

Members **AGREED** the public Minute of the Policing Performance Committee held on 16 March 2023 as accurate records of the meeting.

### **1.4 PPC COMMITTEE ACTION LOG AND MATTERS ARISING**

Members noted the updates provided and agreed with the proposed recommendations for closure.

The Committee **APPROVED** the action log and noted the updates provided.

## **4. OPERATIONAL POLICING POLICY (Item 4.2 – to accommodate attendance by ACC Tim Mairs)**

### **4.2 LOCAL POLICING SERVICE DELIVERY REVIEW UPDATE**

Members noted the paper, with ACC Tim Mairs, providing an overview of the report. The following points were highlighted and discussed:

- Members welcomed the update and the focus on engagement which is central to the model.
- In response to Members questions around the level of partnership and local engagement that will be undertaken, ACC Mairs advised that engagement with COSLA, local authorities and community planning partnerships will be key to reflect the contribution wider local partners can and should make in this area. Members noted Police Scotland's collaborative approach and its intention to set up a Strategic Engagement Forum.
- Members noted that one of the hard themes is 'locality and locations' and the challenges of accessibility, particularly regarding access to custody estates. Police Scotland assured members that arising issues will be addressed in both short term fixes and long term planning.
- Members encouraged the inclusion of themes covering cyber, fraud and emerging threats. Police Scotland advised that this will be taken into consideration as the operating model and capability map develops, taking in to account the ongoing activities of 'Policing in a Digital World'.
- Members commended the methodology and the detail provided in the presentation and asked that future updates to this committee include a focus on the benefits and impact of this work.

**Members noted the report and the following action was agreed:**

**PPC 20230615-001 - Local Policing Service Delivery** – Police Scotland to include a focus on the benefits and impact of this work when future updates are presented to the committee.

## **2. PUBLIC CONFIDENCE & PARTNERSHIP ACTIVITY**

### **2.1 HM INSPECTORATE OF CONSTABULARY IN SCOTLAND (HMICS) REVIEW OF DOMESTIC ABUSE PHASE 1 (2/23)**

Members noted the paper, with Craig Naylor, HM Inspector of Constabulary, Scotland, providing an overview, with supporting comments from Louise Raphael. The following points were highlighted and discussed:

- Members welcomed the findings from HMICS and noted the dependencies between this and the previous item in relation to the importance of local policing in delivery.
- Members asked whether the draft improvement plan will be linked to Police Scotland's VAWG strategy and Craig Naylor advised that these are developing at the same time and ACC Bex Smith's team will ensure the appropriate elements of cross-referencing.
- Members recognised the importance of partnership working in this area and Craig Naylor confirmed that this will be of significant importance in the next steps.
- Members asked Police Scotland to provide further detail on the actions to address local divisional inconsistencies, as detailed in the report, when the improvement plan is presented in September.
- Members requested that this report should be referred to the People Committee given its relevance to the remit and focus of the committee.

**Members noted the report and agreed the following actions:**

**PPC 20230615-002** - Members asked that action to address inconsistencies highlighted through the HMICS report are detailed in the improvement plan due to be presented in September 2023.

**PPC 20230615-003** - Members agreed to refer this report to the People Committee given its relevance to the remit and focus of the committee.

## 2.2 HMICS/INSPECTORATE OF PROSECUTION IN SCOTLAND/CARE INSPECTORATE AND HM INSPECTORATE OF PRISONS FOR SCOTLAND JOINT REVIEW OF DIVERSION FROM PROSECUTION (2/23)

Members noted the paper, with Craig Naylor, HM Inspector of Constabulary, Scotland, providing an overview with supporting comments from Ray Jones. The following points were highlighted and discussed:

- Members welcomed the report, the work undertaken by the 4 inspectorates and the insights shared by Craig Naylor.
- Members acknowledged the importance of partnership working, communications and robust data sharing.
- Members asked how successful diversion of prosecution had been for eligible individuals. Members were advised that this is still not happening to its full potential and there is a lot of activity to be undertaken to enhance training and confidence so that colleagues can progress these individuals through the process. Craig Naylor also noted the dependencies on other agencies to contribute in this area.
- Members recognised the need for this to be quantified and requested that further research be undertaken in this area.
- Members asked whether there would be scope to look at introducing the inclusion of diversion from prosecution at a later stage of an individual's criminal justice journey and whilst this was not the objective of the review, Craig Naylor advise that this was a relevant point to raise and could be included in the next steps.
- Members recognised the importance of the infrastructure, awareness and support that is required to ensure the success of the implementation of diversion against prosecution. ACC Middleton provided members with detail on the work underway, including detail around the core operating system, challenges with support from Criminal Justice social work and efforts by Police Scotland to communicate direct measures available to officers such as FPNs.
- Members look forward to seeing the partnership improvement activity underway in response to this review and stressed the need for continued partnership working to deliver on the 34 recommendations.

### Members noted the report and agreed the following action:

**PPC 20230615-004** - Members requested that further research be undertaken to establish how opportunities to implement diversion against prosecution can be utilised to its full potential.

## 2.3 TECHNOLOGY IN POLICING

### 2.3.1 SCOTTISH POLICE AUTHORITY/POLICE SCOTLAND JOINT RESPONSE TO INDEPENDENT ASSURANCE GROUP (IAG) ON NEW AND EMERGING TECHNOLOGIES IN POLICING

Members noted the paper, with Andrew Hendry, Chief Digital and Information Officer providing an overview, with supporting commentary from Scott Ross, SPA. The following points were highlighted and discussed:

- Members welcomed the report and acknowledged Andrew Hendry's emphasis on the shifting nature of crime in in this area. He highlighted that technology is often a key part of criminal activity and policing needs to adopt new technologies to keep up with this.
- Andrew Hendry advised that it is essential that this should be tackled in a transparent way that maintains public trust and confidence and he advised Members that improvements have been made in this space, noting the progress made by the Chief Data Office.
- Scott Ross provided Members with an update on the 5 recommendations directed specifically to the Authority.
- Members welcomed the invitation of external subject matter experts to be included in this activity.

**Members noted the report.**

### 2.3.2 POLICING IN A DIGITAL WORLD UPDATE

The Chair advised that Police Scotland are seeking that Members provide their support and endorsement for the planned programme of work including the Rights Based Pathway.

Members noted the paper, with ACC Andy Freeburn providing an overview. The following points were highlighted and discussed:

- ACC Freeburn highlighted the work in progress and paid particular attention to CAID FM and the rights based pathway and its importance in underpinning the MoU between Police Scotland and the Authority.
- The Biometrics Commissioner, Dr Brian Plastow and Craig Naylor, HMICS advised that they fully support Police Scotland's intention to utilise the whole functionality of CAID FM in line with all other police forces in the UK.



- Members welcomed the focus on human rights and ethics and welfare of officers and staff.
- Members asked for detail on the effectiveness of CAID FM and how this will be tested. ACC Freeburn advised there will be a number of activities undertaken including a review of the process, a performance matrix and ongoing monitoring.
- In response to questions from the Chair, ACC Freeburn provided Members with the work being undertaken to support officers and staff, including future plans for online reporting and Action Fraud. With regards to resourcing, Members acknowledged that there are budgetary challenges to consider as well as the changing nature and the continued increase of digital crime.

**Members noted the report.**

**2.4 UPDATE ON EMERGENCY SERVICES MOBILE COMMUNICATIONS PROGRAMME (ESMCP)**

Members noted the paper, with ACC Emma Bond providing an overview. The following points were highlighted and discussed:

- Members welcomed the report and acknowledged the slower than desired progress in the transition from Airwave to ESN (Emergency Services Network).
- Members noted that Airwave will be shut down in 2029 and the timeline for delivery of ESN will be dependent on the outcome of the new supplier in early 2024. ACC Bond advised that Members will be provided with a further update in the future.
- The Chair asked if there are any particular risks or challenges that Police Scotland are aware of. Police Scotland advised there are no short/medium term issues to be highlighted, however, there is cognisance of the need to ensure that the replacement product meets or exceeds the current requirements of Police Scotland, including the ability to successfully deliver full geographical coverage.

**Members noted the report**

**2.5 BIOMETRICS COMMISSIONER'S REVIEW OF CHILDREN AND YOUNG PEOPLE AND VULNERABLE ADULTS**

Members noted the paper, with Doctor Brian Plastow providing an overview. The following points were highlighted and discussed:

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- Dr Plastow advised members that both reports had been laid before parliament in March 2023.
- Members were advised that the Biometrics Commissioner's statutory function is to support and promote the adoption of lawful, effective and ethical practices in relation to the range of data and technologies used in policing and criminal justice. This includes the requirement to pay particular attention to the requirements of children, young people and vulnerable adults.
- Dr Plastow expressed gratitude to both the staff and officers of the Authority, Police Scotland and the Biometrics Commission team who have been fully engaged in this process.
- Members noted that Police Scotland have confirmed in writing to the Commissioner that all of the recommendations will be implemented.
- The Chair welcomed assurance from the Commissioner that whilst the instances of gathering of biometric data from children and young people are low, safeguarding is strong.
- Police Scotland provided members with examples of the work that has been undertaken to fulfil the recommendations in the report.
- Members queried whether the experience of having biometric data would impact children and young people disproportionately in the long term. The Commissioner advised that there is a probability that this may have impact in the future. He noted that improved management information may help provide the answers to this question. Police Scotland assured members that biometrics data gathered from children has a time cap of 3 years which should prevent them being affected in the future, with weeding being undertaken after cases are concluded.
- Tom Halpin (Chair of JREF) raised the potential of using the JREF mechanism to conduct research into this through this mechanism.
- Members welcomed the joint working between the Authority and the Scottish Biometrics Commissioner, suggesting that this approach continue in future and Scott Ross, SPA, assured members that regular engagement with the Commissioner is ongoing and the Authority will continue to support this work.
- Members requested that a progress report/improvement plan in relation to the Commissioner's recommendations is brought to a future PPC Meeting.

### **Members noted the report and agreed the following actions:**

**PPC 20230615-005 - Biometrics** - Specific action on looking at areas for further research through Joint research & Evidence Forum

**PPC 20230615-006 - Biometrics** – The Chair requested that an progress report/improvement plan be presented to a future committee



### 3. PERFORMANCE AND IMPROVEMENT REPORTING

#### 3.1 QUARTERLY PERFORMANCE REPORT

Members noted the paper, with Tom McMahon providing an overview. The following points were highlighted and discussed:

- Members asked whether there is a sense of a time when the benefits of the work undertaken with regards to fraud and digital crime will be visible. Tom McMahon advised that the Policing in a Digital World strategy has an expected horizon of 5-10 years with development of activities and results expected throughout.
- Members noted that some individuals will remain vulnerable throughout this period and asked whether direct communications with the public will be undertaken. Police Scotland assured members that this does take place and will continue throughout the period of the Policing in a Digital World strategy. Members suggested that a deeper dive in to this in the future would be helpful
- In response to questions from Members on public confidence and the variance in sample sizes, Police Scotland provided examples of the range of surveys and activities which are undertaken throughout the year.
- Members noted the escalation of the recording of sexual crime and Police Scotland provided Members with an update on the work in progress in this area and the wide range of factors and reasons why the recording of these types of crimes have increased, including the potential of increased confidence in reporting these crimes.
- Members discussed the high level nature of parts of the report and requested that a series of deep dives on key themes and priority areas are planned in over the course of the performance year
- Members expressed their desire to better understand the impact resourcing decisions have on performance.

**Members noted the report and agreed the following action:**

**PPC 20230615-007 - Policing Performance Report** – Members requested that the report should include insights on the impact of resourcing decisions on performance.

#### 3.2 CHIEF CONSTABLE'S 2022/23 YEAR END PERFORMANCE ASSESSMENT

The report has been deferred and will be presented to the Authority at the Board Meeting on Wednesday 21<sup>st</sup> June 2023.

### 3.3 PERFORMANCE FRAMEWORK REFRESH 2023

Members noted the paper, with Tom McMahon, providing an overview. The following points were highlighted and discussed:

- Members welcomed the focus on improvement, comparability and benchmarking and encouraged the commitment to the provision of disaggregated insights and data over the lifetime of the framework.
- Police Scotland noted the importance of local analysis and data and the use of this in conjunction with local authorities and were provide assurance that Police Scotland will work with local authorities to develop local policing case studies and insights.
- Members asked that a series of deep dives on key themes and priority areas are planned in over the course of the performance year
- Members acknowledged the essential contribution that the performance framework, and subsequent reporting against it, makes to supporting effective scrutiny and the ability to demonstrate impact of activities detailed in the annual police plan.

**Members noted the report and agreed the following action:**

**PPC 20230615-008 - Performance Framework** - Members asked that a series of deep dives on key themes and priority areas are planned in over the course of the performance year.

### 3.4 NATIONAL CRIME AGENCY Q3/Q4 REPORT ON PERFORMANCE IN SCOTLAND

Members noted the paper, with Gerry McLean, NCA, providing an overview and Detective Chief Supt Stuart Houston providing supporting commentary. The following points were highlighted and discussed:

- Members were provided with an outline of the first public report on NCA performance in Scotland and noted the intention that this will become a bi-annual report.
- Members acknowledged the link with other agencies and a range of partners to ensure a collective approach, including sharing of good practice around crime threats and the gathering of useful insights.
- Members asked whether changes in legislation to modern slavery and human trafficking would impact the work in this area more challenging. Members were assured that the legislation is similar across the UK and there is a joined up multi-agency approach to human trafficking and exploitation within the NCA framework.

- Members acknowledged the role of the Scottish Crime Campus and the number of advantages in operating in a co-location and the evident co-operation and engagement with partner agencies.
- Members welcomed the activities and partnership work in progress and look forward to future developments.

**Members noted the report and agreed the following action:**

### **3.5 STOP AND SEARCH PERFORMANCE UPDATE**

Members noted the paper, with Chief Supt Matt Richards, providing an overview. The following points were highlighted and discussed:

- Members welcomed this model of comparative analysis and the insights it provides.
- Members are keen to understand variations across Scotland and the plans in place to ensure consistency of approach and how governance processes will work through these discrepancies.
- Police Scotland advised that legacy culture still prevails, however, there now is a national training programme and probationer training which aims to decrease the variations across the country.
- Members discussed the disproportionate rate of searches of BAME individuals, seeking clarity on why this happens.
- Members requested further detail on themes emerging from complaints data relating to stop and search.
- Members noted that exploring variables such as socio-economic data and vulnerabilities in relation to stop and search would be helpful in providing additional and valuable insight to the recorded data.
- Members requested further analysis be undertaken which takes into account variations across Scotland, insights from positive searches, complaints and the consistency of approach particularly in terms of BME and intersectionality.

**Members noted the report and agreed the following action:**

**PPC 20230615-009 - Stop and Search** – Members requested further analysis be undertaken which takes into account variations across Scotland, insights from positive searches, complaints and the consistency of approach particularly in terms of BME and intersectionality.

### **3.6 PLACES OF SAFETY FOR CHILDREN IN CONFLICT WITH THE LAW**

Members noted the paper, with Chief Supt Gordon McCreadie and Scott Ross providing an overview. The following points were highlighted and discussed:

- Scott Ross provided Members with an overview of the key themes of the Children in Custody event in November 2022, which attracted over 100 key stakeholder attendees.
- Chief Supt McCreadie advised members that he had attended National Youth Justice Conference and where the audience were unanimous in their support of the work in progress by Police Scotland and the Authority
- Cllr Chalmers expressed the desire that COSLA Children and Young People Board be included in all future engagement.
- Members noted that following on from this event, policing divisions and their representative local authorities are convening events to consider operational approaches and improvements in this area.
- The Chair acknowledged the momentum in this area and asked how will improvements be delivered at pace. Chief Supt McCreadie noted that funding has been applied for to make estate changes possible and the most important factor is the work in progress to reduce the numbers of children being taken into custody in the first place.

**Members noted the report.**

### **3.7 INDEPENDENT CUSTODY VISITING SCOTLAND (ICVS) ANNUAL REPORT**

Members noted the paper, with Scott Ross providing an overview. The following points were highlighted and discussed:

- Members welcomed the detail provided in the ICVS Annual Report and joined Scott Ross in appreciation of the volunteers in this the 10<sup>th</sup> Year anniversary of the ICVS.
- Susan Stokes' one of the Independent Custody Visitors, provided members with commentary on the dignity, healthcare and mental health and wellbeing of those in custody.
- Members welcomed the strong relationship between custody visitors and custody staff, noting that the majority of issues are raised and resolved quickly.
- An issue with the sizes of anti-ligature outfits available in custody was raised by Susan Stokes and Chief Supt McCreadie advised that he would follow this matter up.

- Susan Stokes expressed concern that access to treatment plans whilst in custody is not standardised across custody centres and health boards.
- Members were advised that on some occasions detainees do not always have access to washing facilities. Members were provided with assurance that the Authority and Police Scotland are taking steps to address these issues. Chief Supt McCreadie advised he would raise this with the cluster inspector with regards to looking at improving the gender balance on shifts.
- Members noted the importance of updating the estate to provide appropriate facilities for detainees.

**Members noted the report and agreed the following action:**

**PPC 20230615-010 - ICVS** – Police Scotland to provide an update on the lack of provision of different sized anti-ligature suits in custody and to look at the gender balance on custody shifts.

#### **4. OPERATIONAL POLICING POLICY**

##### **4.1 CRIMINAL JUSTICE SERVICES DIVISION (CJSD) VISION AND DIRECTION UPDATE**

Members noted the paper, with Chief Supt Gordon McCreadie providing an overview. The following points were highlighted and discussed:

- Chief Supt Gordon McCreadie provided members with an update on Children in Custody, Public Health and the positive impact of the recent changes in custody shift patterns.
- Members welcomed the introduction of an animated, easy-to-understand version of the letter of rights for children and young people which CJSD intend to roll out.
- Members were provided with detail on the Custody Dashboard which identifies transit and processing times and the ability for people to declare vulnerabilities which will inform local decisions around service provision.
- Chief Supt McCreadie advised members that the recent implementation in shift changes has been received positively by staff.

**Members noted the report.**

#### 4.3 REMOTELY PILOTED AIR SYSTEMS (RPAS) UPDATE

Members noted the paper, with ACC Mark Williams providing an overview. The following points were highlighted and discussed:

- ACC Mark Williams provided members with an update of the procurement process, noting that the drones are now with Police Scotland and will be rolled out following the appropriate training.
- Members enquired whether other UK forces are still using the old style drones and were advised that some were, but as these drones are no longer supported they will have to replace them with the new version.
- Members asked whether there was scope to look at the inter-operability of drones with other emergency services and Chief Supt McCreadie advised this will be explored.
- Members were advised that the Air Support Strategy will be presented to members at September PPC.

**Members noted the report and agreed the following action:**

**PPC 20230615-011 - RPAS** – Police Scotland to explore the potential for inter-operability with other emergency services

#### 4.4 TASER ROLLOUT UPDATE

Members noted the paper, with ACC Mark Williams providing an overview. The following points were highlighted and discussed:

- Members received an update on the number of trained officers and the intent to train several hundred colleagues over the next year.
- Members acknowledged that the rollout of hubs has improved efficiency.
- ACC Williams advised members that whilst there is no specific policy for TASER use on children and young people he is satisfied that the current policy ensures that any usage of TASER is proportionate and has strict guidelines that must be followed before, during and after any deployment.

**Members noted the report**

*Meeting ended*