

Meeting 23 April 2021 13:00

Members attending:

John Scott QC, Solicitor Advocate (Chair)
Bruce Adamson, Children and Young People's Commissioner Scotland
Ephraim Borowski, Chair of the National Independent Strategic Advisory Group
Dr Elizabeth Kelly, 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
Diego Quiroz, Scottish Human Rights Commission
Assistant Chief Constable Gary Ritchie, Police Scotland

Apologies:

Aamer Anwar, Solicitor and Human Rights campaigner
Tressa Burke, CEO Glasgow Disability Alliance
Maria Galli, Children and Young People's Commissioner Scotland
Gill Imery, HM Chief Inspector of Constabulary in Scotland (HMICS)
Deputy Chief Constable Will Kerr, Police Scotland
Brian Scott, GDA
Barry Sillers, Deputy Chief Executive, Strategy and Performance, SPA

Secretariat:

Jennifer Blackwood, SPA
Deborah Christie, SPA
Eleanor Gaw, SPA

1. Welcome and introductions

The Chair welcomed attendees. Apologies were noted as above.

2. Note of the previous meeting and matters arising

The group noted the minute of the meeting held on the 16th April 2021.

3. Easing of restrictions - issues arising, including travel.

The group considered an update on the latest figures, noting that intervention activity was up but enforcement and fixed penalty notices were down. The group heard that, wherever possible, engagement was taking place to inform and educate the public in respect of the regulations moving through the 4 Es approach.

It was recognised that travel would not feature in future reports as that particular restriction was no longer in place.

ACC Gary Ritchie reported that the levels of activity being seen were, on the whole, as had been expected and commented that areas of increased activity had been as expected i.e. parks and beauty spots.

The group heard that a consolidated version of the Regulations would hopefully be available soon and this would be circulated as soon as possible.

Action – John Scott/Secretariat – to circulate most up to date consolidated version of regulations

The group discussed the recent guidance that had been issued in draft form, to places of worship, and explored some of the issues that may arise given the basis for calculation was now to be published. It was agreed that common sense would be required to ensure the correct approach was taken. The group heard that recent studies had shown increased evidence that the transmission of Covid may be predominantly airborne and not aerosol as was previously believed to be the case and it was recognised that any shift in evidence may impact future guidance.

4. Data Update

Charges reported to COPFS under the Coronavirus legislation – March 2020-February 2021/ OpTICAL Update/ Citizen Space

The group considered the report which had been submitted to provide the IAG with a summary of the number of charges reported to the Crown Office and Procurator Fiscal Service (COPFS) under the Coronavirus Regulations and the outcome of these charges insofar as presently known, covering the period from the introduction of the legislation on 26th March 2020 to the 28th of February 2021. A summary of the key points was provided and members were invited to bear in mind that the report provided information on all charges reported, but not the circumstances in which these charges were made or the decisions taken by individual police officers. Nevertheless, it provides additional evidence to the IAG about the overall pattern of police enforcement action that took place in the context of the pandemic in Scotland.

John Logue confirmed that the analysis of the data gave confidence that Police Scotland was getting the approach and responses right, as there were very few cases which came though on which COPFS did not take action.

It was agreed that this report should be appended to the IAG Report to the May meeting of the SPA Board.

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ACTION – John Scott/Susan McVie/Secretariat – append the Charges reported to COPFS under the Coronavirus legislation report to the IAG May Board paper.

The group noted that the weekly report had been shared and that work is underway on a further report linked to CVI data, which will be considered at the OpTICAL Group and shared with the IAG in due course.

It was confirmed that there had been no activity via the Citizen Space platform.

5. AOCB

It was noted that Ellie Hourigan would attend next week's meeting.

Date of next meeting

Friday 30 April 2021 – 13:00 – 15:00

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