

**Meeting 25<sup>th</sup> May 2020 15:00 – 17:00**

**Members attending:**

John Scott QC, Solicitor Advocate (Chair)

Bruce Adamson, CYPCS

Ephraim Borowski, Chair of the National Independent Strategic Advisory Group

Tressa Burke, CEO Glasgow Disability Alliance

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

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

Susan Kemp, Scottish Human Rights Commission

DCC Will Kerr, Police Scotland

Martin Hayward, Equality and Human Rights Commission

**Secretariat support:**

Jennifer Blackwood, SPA Communications

Eleanor Gaw, SPA Community Accountability

John McCroskie, SPA Director of Communications and Relationships

Fiona Miller, SPA Community Accountability

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### **1. Welcome and introductions**

The Chair welcomed members to the meeting.

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

- The Chair confirmed that notes from previous IAG meetings up to May 18<sup>th</sup> will be published later this week. Thereafter members will have forty eight hours from receipt to check meeting notes before they are made available for publication on the SPA website.
- Data and Evidence. The Chair has contacted the Police Federation regarding a collective response, and will contact a representative of ASPS this week.
- Maria Galli advised that the CYPCS paper will be circulated next week for discussion at the group's meeting on Friday 5<sup>th</sup> June.
- Professor McVie has contacted Andrew Morris and Roger Halliday regarding Health data. Roger is available to join the group Monday 1<sup>st</sup> June from 2pm – 3pm. It was agreed to bring forward the meeting to start at 2pm to facilitate this. Fran Warren will join the meeting Friday 29<sup>th</sup> June.

### **3. Citizen Space Portal**

Professor McVie introduced her related paper, which had been updated following members' feedback.

- A number of presentational changes were considered relating to protected characteristics, and what is essential for inclusion.
- It was agreed to re-order the questions so that optional questions on personal characteristics are at the end of the question set.
- Members were asked to consider if any sections or questions are no longer required and can be removed.
- It was noted that the portal does not offer a translation function. Jennifer Blackwood will contact Scottish Government colleagues to check how this is managed for SG consultations and brief members on outcomes.

### **Consideration of publication of responses**

Members agreed that full responses would not be published routinely. Rather respondents will be asked if they are content for information they supply to be used and to be quoted, but without individuals being identified in public reporting.

The group agreed to postpone the launch of the portal by a couple of days, to allow time to take account of members' additional views and feedback.

The chair thanked Professor McVie and all those involved for their work in progressing access to the portal.

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### Actions

**All Members:** to offer any additional feedback or proposed amendments to S.McVie by Wednesday 27<sup>th</sup> May

**Professor McVie:** will check what categories Police Scotland currently use in gathering data on protected characteristics.

**J. Blackwood:** will check SG practice on translation of public consultations.

### **4. Human Rights Guide to Examining the New Police Powers DRAFT for IAG Discussion, prepared and presented by Diego Quiroz, SHRC**

D. Quiroz gave a comprehensive overview of his paper which outlines existing human rights legislation and specific human rights guidance, aligned to Covid-19 temporary powers. It is designed to be a living document and to help frame and inform the work of the group. The intention is to look at cross referencing the human rights framework with the data already identified and coming on stream through the work of the OpTICAL group, to assist in understanding the impact of the temporary powers on human rights. If impacts beyond the scope of the Independent Advisory Group remit are identified, it was agreed that these will be signposted to Scottish Government where relevant.

The Chair thanked Diego for the paper, and members fed back that they found the framework to be very comprehensive, high quality and extremely useful. The content has scope to be updated, for example as more detail becomes available on the implications of "test, trace, and isolate" in Scotland.

Maria Galli indicated that, while there is a need for the separate piece of work she is preparing on related human rights implications for children and young people, there may be scope for greater integration within the overarching Human Rights Guide to Examining the New Police Powers. She also suggested it would be helpful to integrate the UK Coronavirus Act provisions in the guide. Diego also agreed to include mention of the Act.

The Chair indicated that, in due course, and with relevant additions and evidence, the Human Rights Guide will be included among the IAG's published material available online.

### **Actions:**

**Diego Quiroz, Maria Galli and Professor McVie** will liaise on linking the available evidence on impacts with the relevant human rights and equalities provisions, and whether integrating further within one overarching paper is possible or helpful.

**Diego Quiroz** to add a section on the CV Act.

**All Members:** to offer any additional feedback or comments

**Chair/Secretariat/D.Quiroz/M. Galli/ S.McVie:** to maintain contact as the paper develops, and any updates will be scheduled for consideration by the group ahead of publication.

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**5. Police Officer and Staff Interview Proposals  
Supporting Paper from Professor McVie**

Professor McVie introduced the paper.

It had already been agreed that HMICS will undertake these interviews, and the process will be delivered in partnership with Police Scotland.

A pilot will be undertaken in Edinburgh, following an offer of support from CS Sean Scott. It was agreed that, at this point, it was not necessary to include special constables or youth volunteers.

The process will ensure a balance across participants of age range, shift patterns, male/female, and length of service, and will include community teams and response officers on the front line, supervising officers, and staff and officers dealing directly with phone calls from the public. Participation will be voluntary and it will be explained to all participants that the purpose is exclusively for the work of the IAG.

It was agreed that Divisional Commanders will be invited back to the group to speak to IAG members directly, so this will be scheduled for future meetings.

It was noted that, while the impact of the crisis response on “business as usual policing” is outwith the scope of the terms of reference, it is likely to emerge in discussions with staff.

The need to be realistic about the time available to officers and staff to participate was noted, and not all questions may be used in all interviews. Discussions are still underway on how the analysis will be completed.

**Actions:**

**All Members** to provide any written feedback on the question set to S. McVie close of play Tuesday 26<sup>th</sup> May. The matter will then be discussed at the OptICAL Group for progression.

**S. McVie** to liaise with HMICS on the potential to release high-level findings on an ongoing basis, to support real time updates.

**Chair/ Secretariat:** To liaise with Police Scotland to agree suitable time for Divisional Commanders to re-join IAG discussions.

**6. AOCB**

**No matters raised**

**Date of next meeting: Friday 29<sup>th</sup> May 12:00 – 14:00**

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