

Meeting 15th May 2020 12:00 – 14:00

Members attending:

John Scott QC, Solicitor Advocate (Chair)
Ephraim Borowski, Chair of the National Independent Strategic Advisory Group
Tressa Burke, Chief Executive Glasgow Disability Alliance
Chief Superintendent Davie Duncan Police Scotland (on behalf of ACC Ritchie)
Martyn Evans, Scottish Police Authority
Maria Galli, Legal Officer, Children and Young People's Commissioner Scotland
Stephen Whitelock (HMICS) on behalf of Gill Imery
Dr Elizabeth Kelly, NHS Scotland and Associate Carnegie UK Trust
Susan Kemp, Scottish Human Rights Commission
DCC Will Kerr, Police Scotland
John Logue, Deputy Crown Agent Operational Support, COPFS
Naomi McAuliffe, Programme Director Scotland, Amnesty International
Professor Susan McVie, University of Edinburgh
Dr Catriona Stewart, Scottish Women's Autism Network

Apologies:

Aamer Anwar, Solicitor and Human Rights campaigner
Martin Hayward, Equality and Human Rights Commission
Gill Imery (HMICS)
Diego Quiroz, Scottish Human Rights Commission
ACC Gary Ritchie, Police Scotland

In attendance:

Dr Peter Neyroud, Institute of Criminology (agenda item 2)
Dr Megan O'Neill, University of Dundee

Secretariat support:

Jennifer Blackwood, SPA Communications

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Eleanor Gaw, SPA Community Accountability

John McCroskie, SPA Director of Communications and Relationships

1. Welcome and introductions

The Chair welcomed members to the meeting.

2. Policing and the Pandemic.

Dr Peter Neyroud, Institute of Criminology was welcomed to the meeting. Dr Neyroud is also a member of the SAGE Advisory Group.

He highlighted a range of work underway and evidence the group may wish to consider. This includes work at Oxford University to map the stringency of enforcement of Covid-19 restrictions with patterns of infection, and work underway relating to the Covid-19 approach across different countries, undertaken by the Violence Research Centre.

Dr Neyroud indicated that data in England and Wales shows a relatively poor match between charges relating to Covid-19 and the legislation. This has particularly evident with regard to the number of Fixed Penalty Notices (FPNs) in England and Wales which have been transferred into a charge (the different system in Scotland for FPNs was noted).

Offending rates for Covid-19 in England and Wales are highest among groups of young males (aged 15 – 35). From a random group sample, there also appears to be a high correlation between people who are already persistent offenders and levels of enforcement around Covid-19. It is not clear whether those with a record of offending are being more closely policed with regard to Covid-19; or if people who have a history of offending are also more likely to break the Covid-19 regulations.

It was noted that in Scotland the OpTICAL Group is investigating whether it is possible to cross reference FPNs with other data on offences and demographics, and top level data is already reported to the Scottish Police Authority.

The Scottish data on the Police Scotland website was highlighted. Dr Neyroud indicated that in his view this resource was not easy to locate online, but it does appear to be of high quality. Officers in Scotland have been recording any engagement with the public on FPNs and dispersals since the beginning of lockdown, so there is good baseline data available.

Dr Neyroud distinguished 3 types of response which can be expected to various elements of the restrictions –

- High compliance and high self-policing, and where people can fairly easily comply
- Some “grey areas” where there is a more flexible interpretation of regulations where they are not a good fit with what may be achievable,

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or where the purpose of the regulations appears to have been respected

- Matters where it is crystal clear that breach of regulations has occurred, and where there is scope to build a supporting narrative around these, so people can clearly understand where the boundaries lie.

Dr Neyroud encouraged the use of narrative as we move out of lockdown, focusing effort on ensuring people understand the risks to encourage as much self-policing as possible.

An element missing so far has been the ability to link policing activity with health data, which could potentially enable police to target activity informed by information from testing and areas with higher risk of infection.

Dr Neyroud emphasised three key elements in assessing response –

- Tracking what officers are doing e.g. random sampling from body worn video camera footage in England and Wales
- Testing public opinion
- Increasing focus on the wider impact (for example, increase in fraud)

Dr Neyroud also referenced possibility of police being asked to conduct visits to check quarantine regulations are being observed, which in his view may not be desirable for the service; or to focus attention on areas where there is still a high “r” factor. He also indicated that if an opportunity exists now to get caught up on any backlog, there will be impacts on the court service further down the line.

The group noted that the data sets in Scotland are still quite small as compliance has been extremely high.

Susan McVie referenced the work of the OptICAL Group, which is looking to overlay police activity with health data; the SPA public attitudes survey underway; public portal in development; and the high levels of data gathering by Police Scotland on FPNs and dispersals which is not flowing through the crime management system.

DCC Kerr indicated that for Police Scotland the focus remained on transparency and sustaining and building public confidence. The most recent SPA survey results indicating increasing public confidence in the service in Scotland was referenced

Actions

Dr Kelly and Professor McVie will make contact with Andrew Morris and Roger Halliday re Scottish Covid-19 Task Force data and health led data work supporting test, trace, isolate, to inform the work of the group.

3. Minute of the previous meeting and matters arising

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Agreed that the group will focus on text and questions for the public portal Monday 18th May, with supporting text to be circulated to the group.

Monday 25th May, the group will focus on Human Rights issue and report from Susan Kemp and Diego Quiroz, to sit alongside data gathering briefings from Susan McVie, and for consideration for publication.

25th May – Maria Galli will speak to the group on human rights and children and young people.

4. Chair's Report to the Scottish Police Authority Board 20th May

The Chair introduced is draft report to IAG members for thoughts and feedback. The report was welcomed, and all members are asked to review and offer feedback over the weekend. The chair circulate with any revisions evening of Sunday 17th, for sign off at the 18th May meeting.

Points included:

Some feedback on structure with regard to accessibility.

Request that it uses and refers to international definition of a child as anyone under 18.

S.McVie will offer some wording on knowledge from surveys and manual data trawl.

Noted that we are already in phase two of lockdown, so the group may wish to accelerate feedback into the SPA and Police Scotland, and the report may trail forward looking work.

That oversight of lock down and compliance is and will increasingly be undertaken by a much wider range of public bodies including local authorities / licensing arrangement, and Police Scotland has already publicly indicated it has no plans in place for overt or covert surveillance with regard to Covid-19 compliance.

Action: IAG Members to feed back to the chair this weekend any suggestions or potential revisions.

Date of next meeting: Monday 18th May 14:00

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