

**Meeting 27 November 2020 13:00 – 15:00**

**Members attending:**

John Scott QC, Solicitor Advocate (Chair)

Bruce Adamson, CYPCS

Ephraim Borowski, Chair of the National Independent Strategic Advisory Group

Martyn Evans, SPA Board Member

Gill Imery, HM Chief Inspector of Constabulary in Scotland (HMICS)

Dr Elizabeth Kelly, Associate Carnegie UK Trust

DCC Will Kerr, Police Scotland

Susan Kemp, Scottish Human Rights Commission

John Logue, Deputy Crown Agent Operational Support, COPFS

Naomi McAuliffe, Programme Director Scotland, Amnesty International

Professor Susan McVie, University of Edinburgh

Brian Scott, Glasgow Disability Alliance

Dr Catriona Stewart, SWAN Scotland

**Apologies:**

Aamer Anwar, Solicitor and Human Rights campaigner

Tressa Burke, CEO Glasgow Disability Alliance

Maria Galli, CYPCS

Diego Quiroz, Scottish Human Rights Commission

ACC Gary Ritchie, Police Scotland

**Secretariat:**

Jennifer Blackwood, SPA

Eleanor Gaw, SPA

Fiona Miller, SPA

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

The Chair welcomed members to the meeting. He would be in attendance for the first half of the meeting only. Professor McVie agreed to lead discussion for the second part of the meeting.

### **2. Note of the previous meeting and matters arising**

#### **SPA Public Opinion Survey 3<sup>rd</sup> Wave**

Martin Smith, SPA Strategy Lead, will attend the IAG meeting on 4 December to discuss the findings of the 3<sup>rd</sup> wave of the SPA Public Opinion Survey.

#### **SPA Board Meeting 25 November**

At the SPA Board meeting, the SPA Interim Chair directly referenced the IAG Chair's submission and the work of the IAG. David Crichton reported that he was reassured to see the IAG Chair's submission to the Justice Sub Committee on Policing, and that the SPA will continue to seek advice from the IAG Chair and the group, as constraints related to the pandemic continue.

#### **Update from discussions at Justice Sub Committee on Policing**

Members were updated on discussions at the Justice Sub Committee on Policing 23 November, attended by the Chair and Professor McVie. A wide range of issues were discussed, and related submissions made to the Sub Committee from a range of IAG members, Police Scotland and the SPA. Most of the discussion focused on policing's use of the temporary powers, and the Group's findings, as per the Group's terms of reference. However some other matters were raised which were out of scope such as PPE, and the reduction in reported child sexual abuse during the pandemic response.

### **4. Data update**

#### **FPN Data Report**

The report prepared by Professor McVie was circulated to members prior to the meeting. An executive summary and conclusion have still be added along with any amendments following feedback from members.

Professor McVie provided a detailed explanation of the various sections highlighting a number of points. Members discussed the report and noted the following:

- The CVI system doesn't capture all interventions by Police Scotland.
- Being able to demonstrate the change in trends over time is important. It was agreed that including more recent data as a comparison would be useful, if staff resource can be made available to support this work.
- The total number of FPN's issued during the period 27 March – 31 May was 4327 which translates into 3378 individuals. Most of the repeat offences were at the beginning of the initial lockdown period.
- Men were more likely to receive a ticket than women.

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- Having an existing criminal conviction had a significant impact on the likelihood of an individual receiving an FPN.
- Deprivation was a factor for many of those not complying with Covid-19 regulations. However this must be balanced with the many other issues affecting individuals and communities where deprivation is a significant issue which may impact on adherence.
- The issues surrounding the slightly higher rates of non-compliance by individuals from ethnic minority communities were not straightforward. Language barriers, cultural or economic reasons may all be potential contributory factors. Members agreed that additional insight and context around this issue is essential.

The input from NISAG members across Scotland in assisting in understanding context for the data, including geographical perspectives, was highlighted.

Members noted that the direction provided by the Chief Constable, and the 4E's approach, has ensured individual officers are able to exercise appropriate discretion in policing locally.

The group considered that it may be useful to seek any additional insight from community networks and contacts, particularly on the data relating to ethnicity. It was suggested that Aamer Anwar may be able to assist, in signposting additional community contacts and insights from existing networks.

Chief Superintendent Duncan offered to provide some examples of the type of incident which constituted a "flagrant breach" of the regulations.

### **Actions:**

- Members are asked to consider the report further, for future discussion at the IAG **(All)**
- Contact to be made with Aamer Anwar **(Chair/ Secretariat)**
- Examples of the type of incidents regarded as flagrant breaches of regulations will be shared by Police Scotland **(CS Duncan)**

## **5. OpTICAL Update**

Professor McVie provided an update on the issues discussed at the most recent meeting.

- Students. It was reported that a number of issues continue to cause concern, including rule breaking related to gatherings. The imminent departure of students for the festive break and return in 2021 was noted as a potential risk, but mass testing is being made available to help prevent spread of the virus related to travel.
- Professor McVie advised that she would shortly be attending a series of town hall meetings with student representatives from Edinburgh University, to hear the views of students. Susan will brief members on any relevant issues raised.
- Data Collection. CS Duncan advised members that Police Scotland are making longer term changes to data collection processes. This process is

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already underway, with new systems already planned to be phased in. The pandemic has accelerated the timetable for change. Members agreed that it would be helpful to invite input from Denis Hamill, Police Scotland Chief Data Officer, at a future meeting.

**Action : CS Duncan** will invite Denis Hamill, Chief Data Officer at Police Scotland, to attend and brief a future IAG meeting on these changes

### **6. AOCB**

It was agreed that Eleanor Gaw should made contact with Kirsty Louise Campbell, Police Scotland, to invite her to the IAG to brief members on her work to access "seldom heard" voices, and for an update on findings from Your Police survey.

**Action: Secretariat**

**Date of next meeting Friday 4 December 13:00 – 15:00**

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