

COMPLAINTS AND CONDUCT COMMITTEE
03 March 2021

**Minute of the Scottish Police Authority Complaints and Conduct
Committee held by videoconference on Wednesday 03 March 2021.**

Committee Members

Matt Smith (Chair)
Michelle Miller
Grant Macrae

Scottish Police Authority

Robin Johnston, Head of Legal
Darren Paterson, Head of Workforce Governance
Stuart Milne, Complaints and Conduct Co-ordinator
Graham Ravenscroft, Complaints and Conduct Co-ordinator
Karen Vallance, Governance Support Officer

Police Scotland

ACC Alan Speirs
Chief Superintendent Nicola Burnett

PIRC

Ilya Zharov (Items 4-5)

1. Welcome and Apologies

The Committee Chair welcomed attendees to the meeting and confirmed the video conference contingency arrangements.

The Committee resolved to:

- **NOTE** no Committee Member apologies;
- **NOTE** no declarations of interest;
- **ADOPT** the minute of the 18 November 2020 meeting.
- **NOTE** the action log and that there were no matters arising.
- **AGREE** that, in accordance with paragraphs 20 of the SPA Standing Orders, the Committee would consider items 6-12 in private for the reasons set out on the agenda. The Chair confirmed the PIRC

Statutory Guidance would be discussed in private as it had not yet been published by PIRC.

2. SPA Quarterly Performance Report (Q3) – Graham Ravenscroft

The Committee considered the SPA Complaints Quarterly Performance Report. Graham Ravenscroft highlighted a number of key points as detailed in the paper and advised that Quarter 3 statistics relating to determination of allegations within SPA remit had been omitted. He confirmed the figures as follows:

- Upheld: 0
- Not upheld: 4
- Abandoned: 0
- Withdrawn: 0
- Closed – UA: 0
- Ongoing at 31/12/2020: 2

Members were informed that procurement was ongoing for the revised website and it was anticipated to be live by mid-summer. Members requested the SPA Complaints team confirm that it is tested to ensure it is easy to understand in layman terms. Members also requested consideration be given to the project team seeking feedback from people who have previously used the old site, or to establish focus groups.

The Committee resolved to:

- **NOTE** the SPA Quarterly Performance Report.
- **AGREE** the following action:

Clarity to be sought on whether the project team are using focus groups or have liaised with people have previously used the website to access complaint info.

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3. Police Scotland Professional Standards Quarterly Performance Report (Q3) – ACC Alan Speirs

Members considered the report which provided the statistical information relating to the investigation of complaints about members of Police Scotland for the period 1 October 2020 – 31 December 2020. ACC Alan Speirs (ACCSpeirs) provided an overview of the report and highlighted a number of key points as detailed in the paper. In addition to the content of the paper and during discussion the following matters were noted and discussed:

- ACCSpeirs advised that dealing with matters differently, due to Covid-19, had had an impact on the number and type of complaints

received. Information showed that complainers tend to be the same group of people who are unhappy with the Covid-19 policing response. Irregularities in procedure was the main complaint.

- ACCSpeirs confirmed Serious Injury in Police Custody (PIRC referrals) had not reduced by 100% as indicated in the paper, but were recorded as 24 in the year to date compared to 53 in the previous year to date.
- Members referred to the conduct assessments noted in Chart 8 and sought clarity on the type of action undertaken in response to 'Misconduct – Improvement Action'. ACC Speirs confirmed improvement action is not necessarily an action plan but rather management advice provided by local management.
- Members noted that the use of tasers would be discussed at the Policing Performance Committee on 8 March 2021.

The Committee resolved to:

- **NOTE** the Police Scotland Professional Standards Quarterly Performance Report (Q3).

4a. Review of Complaints Handling, Investigations and Misconduct in Relation to Policing – SPA Update –Darren Paterson

Members considered the report which provided an update on the actions related to Recommendations in the Preliminary Report published by Dame Elish Angiolini (from an SPA perspective), and to seek endorsement of a high level plan outline proposed implementation actions and oversight arrangements in respect of those recommendations set out in the final report. Darren Paterson (DPaterson) provided a detailed summary of the paper. In addition to the content of the paper and during discussion the following matters were noted and discussed:

- The Chair noted much progress had been made since the preliminary report.
- Members recognised there were recommendations that were dependant on legislative changes but questioned whether any options for changes can be planned while legislative change was pending. Members were informed that the strategic oversight group had identified some opportunities however the vast majority required legislative change, some so radical that little that can be done in the interim.
- Members sought assurance that any issues addressed through the strategic board be linked to the public confidence board. DPaterson advised that the strategic oversight group was set up prior to the publication of the final report and the remit and membership had changed following publication.

- Members requested consideration be given to assuring meeting schedules are aligned for improved coordination of discussion at various forums to demonstrate effectiveness.
- ACCSpeirs advised he had reservations about the set-up of another internal working group, due to the number of already established national working groups. DPaterson assured Members the focus of such group would be to ensure internal progress.
- Members discussed and agreed the intention to present a number of areas raised within the report to the next meeting.
- Members were informed Scottish Government were seeking clarification on which recommendations require legislative change and SPA are in the process of finalising a response regarding SPA specific recommendations. Robin Johnston advised that at the strategic oversight group all partners had agreed they would state whether they agreed or disagreed with recommendations, however some require collaborative work so further discussions between partners was required.

The Committee resolved to:

- **NOTE** the report

4b. Review of Complaints Handling, Investigations and Misconduct in Relation to Policing – Police Scotland update – ACC Speirs

Members considered the report which provided an overview of the proposed governance arrangements and reporting framework introduced following publication of the report on the Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing.

ACCSpeirs provided an overview of the report and summarised a number of key points as detailed in the paper. ACCSpeirs highlighted that some recommendations required further discussion which would take place at the strategic oversight board and then the ministerial group. Other partners and groups such as staff associations have expressed views relating to specific recommendations therefore further discussions may also take place with those groups.

The Committee resolved to:

- **NOTE** the Review of Complaints Handling, Investigations and Misconduct in Relation to Policing – Police Scotland Update.

5. Complaints and Conduct Committee Work Plan

The Committee resolved to **NOTE** the work plan.

The Chair concluded the public session of the committee.