

SCOTTISH POLICE  
AUTHORITY

**AUTHORITY MEETING**

**22 January 2021**

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**Minute of the SPA Authority Meeting held on Friday, 22 January 2021 via Video-conference**

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Board Members Present: David Crichton (Interim Chair)  
Martyn Evans  
Tom Halpin  
Robert Hayes  
Grant Macrae  
Michelle Miller  
Mary Pitcaithly  
Jane Ryder  
Matt Smith  
Caroline Stuart  
Elaine Wilkinson

In attendance: Police Scotland  
Chief Constable Iain Livingstone  
Deputy Chief Constable Will Kerr  
Deputy Chief Constable Malcolm Graham  
Deputy Chief Constable Fiona Taylor  
Deputy Chief Officer David Page  
Assistant Chief Constable Pat Campbell (Item 8)  
Assistant Chief Constable John Hawkins (Item 10)  
James Gray, Chief Financial Officer  
Jude Helliker, Director of People and Development (Item 7)  
Chief Superintendent Roddy Newbigging (Item 11)

Scottish Police Authority (SPA)  
Lynn Brown, Interim Chief Executive Officer  
Barry Sillers, Director of Strategy, Performance and Assurance  
Robin Johnston, Head of Legal (Item 9)

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Independent Advisory Group on Police Use of Temporary  
Powers Related to the Coronavirus Crisis  
John Scott QC (Item 6)

SPA Secretariat

Eleanor Gaw, Governance and External Relations Lead  
Catherine MacIntyre, Board Services  
Karen Vallance, Governance Support Officer

## 1. WELCOME AND STANDING ITEMS

The Interim Chair opened the meeting and welcomed all Authority Members and representatives from the Police Scotland senior leadership team. He confirmed Robert Hayes would chair the meeting if he were disconnected from the video-conference.

The Interim Chair congratulated Martyn Evans on his appointment as SPA Chair. The Interim Chair confirmed he would formally hand over responsibility on 31 January but will stay on as a Member for another two weeks to help with transition and attend the Public Audit and Post-Legislative Scrutiny Committee on 11 February.

The Authority **RESOLVED** to:

- **NOTE** no Member apologies;
- **NOTE** no declarations of interest;
- **NOTE** Members raised no other business;
- **AGREE** that, in accordance with paragraph 20 of the SPA Standing Orders, the Board would consider items 13 - 16 in private for the reasons set out on the agenda.

## 2. MINUTES AND ACTIONS FROM PREVIOUS MEETING

The Authority **RESOLVED** to:

- **ADOPT** the minute of the 25 November 2020;
- **NOTE** the action log and that there were no matters arising;
- **NOTE** the Authority has taken two decisions by correspondence since the last meeting:

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1. on 7 December 2020, endorsing the appointment of Pat Campbell as Temporary Assistant Chief Constable (Organised Crime, Counter Terrorism and Intelligence); and
2. on 15 January 2021, approving the appointment of Chris Brown as SPA Deputy Chief Executive Resources.

### 3. SPA INTERIM CHAIR'S REPORT

The Interim Chair provided an overview of his report, drawing particular attention to: the Strategic Workforce Plan, the work of the Independent Advisory Group, the first formal consideration at Board level of the Authority's response to Dame Elish Angiolini's report; the Local Policing programme and the Contact Assessment Model (CAM).

The Interim Chair informed attendees that since the last meeting, the Annual Report and Accounts for 2019-20 have been laid in Parliament. The SPA is one of the few public bodies which has completed its accounts on schedule this year, which is a credit to the finance teams in the Authority and Police Scotland. The Interim Chair confirmed a further Section 22 report from the Auditor General had been received. The report recognises improvements in financial planning and management, the greater stability in leadership and progress in governance. It also recognises that the current model of policing is not financially sustainable and responsibility for remedying that is shared across the SPA, Police Scotland and Government.

The Interim Chair informed Members that, together with the Chief Constable, he had met the Cabinet Secretaries for Justice and for Finance.

The Board **RESOLVED** to:

- **NOTE** the update

### 4. CHIEF CONSTABLE'S REPORT

Chief Constable Livingstone (CCLivingstone) provided a detailed summary of the paper. In addition to the information provided in the paper, he highlighted the following additional points:

- CCLivingstone congratulated Martyn Evans on his appointment as SPA Chair.
- CCLivingstone confirmed arrests had been made in relation to the disappearance of Anthony Parsons.

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- CCLivingstone thanked officers and staff for their continued commitment to public service over the festive period.
- CCLivingstone highlighted planning and strategic engagement continues in advance of the COP26 Conference in November 2021 and thanked Tom Halpin and Members of the Policing of COP26 Oversight Group for their support and scrutiny of planning work undertaken so far.
- Although Covid-19 restrictions have changed often, CCLivingstone confirmed that the approach of Police Scotland would remain consistent and proportionate and he thanked officers and staff for their continued efforts. CCLivingstone acknowledged there was legitimate concern in policing among officers and staff on access to the vaccinations programme. While there is no sector-based plan around vaccinations, CCLivingstone gave assurance he is in continued discussions with Scottish Government and has personally raised the matter with senior ministers.
- Due to acute operational requirements, the Chief Constable outlined that it remains his professional judgement that it is not prudent to reduce officer numbers in the short to medium term. He advised this view is consistent with public and cross-party political expectations.
- CCLivingstone provided an overview of the current and planned use of mobile devices and invited Members to support the roll out of body worn video as quickly as funding allows. He confirmed close working between Police Scotland and SPA was required to ensure public understanding and engagement, and acknowledged that roll out will take some time. As outlined at the November Authority meeting, it is essential appropriate funding is made available for this, and broad roll out would bring wider positive impacts for the justice sector. However, there is a pressing, critical, ethical and operational need for a targeted roll-out to armed officers prior to COP26 which will be progressed. Experience and evidence from an initial early provision would provide learning for the broader rollout.
- CCLivingstone congratulated Detective Chief Superintendent Sam McCluskey and Chief Inspector Lindsay Tulloch on their Queens Police Medal award for services to policing.

In discussion the following matters were raised:

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- On behalf of the Authority, the Interim Chair congratulated Police Scotland on receiving the Campbell Christie award for public sector reform for the Contact Assessment Model.
- The Interim Chair referred to the recent Justice Sub Committee where both SPA and Police Scotland provided evidence on body worn video. He noted it is an important and necessary addition to equipment which has the support of the Authority. The Authority recognises that there are consultations, financial and ethical tests which are required to be carried out which provide an opportunity to demonstrate a model of good consultation. The Interim Chair urged officers in SPA and Police Scotland to work together to test appropriate issues.
- Members sought further information on engagement with wider civic society in relation to COP26 and were informed that CCLivingstone, ACC Higgins and the City of Glasgow Council Leadership are represented at the COP26 Operational Delivery Board, where a significant part of discussion is on wider civic involvement. Members were informed that the Council have taken the lead in sourcing volunteers, replicating the successful approach taken during the planning for the Commonwealth Games. Members also heard that the COP26 Independent Advisory Group would engage with a broad range of voices within civic society as well as protest groups to provide an additional level of assurance.
- Members referenced the academic evaluation of mobile working and commended the Senior Management Team on the benefits of additional capacity identified through all of the transformation programme to date.
- With regard to body worn video, Members highlighted the need to be mindful of budget prioritisation. Assurance was sought that the justice system could effectively deal with the addition of body worn video. CCLivingstone acknowledged it is not just a police issue and there is a requirement for other justice sector agencies to have the capacity to deal with the outcomes. CCLivingstone advised that the additional capacity created through the transformation programme is being allocated against new and emerging demand. CCLivingstone confirmed he has established a new governance group on demand, design and resource to identify capacity and provide rationale for allocation.

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- CCLivingstone advised that not all officers who carry Tasers are classed as armed officers, and only those armed police officers will be prioritised for the initial roll out of body worn cameras.
- With regard to Covid-19, Members sought information on the impact on staff morale and consistency of approach to regulations. CCLivingstone confirmed internal messaging is consistent in highlighting that staff are valued and protected. CCLivingstone indicated that he has attended briefings with the First Minister, as only the police service can speak to policing, which provides the appropriate operational independence. CCLivingstone advised that Police Scotland have had over 100,000 separate interactions with the public and while the service has recorded more fixed penalties than some forces in England, only 7% of interactions have resulted in enforcement, which is relatively low.
- Members were informed of learning identified following the recent cyber-attack against SEPA. DCC Malcolm Graham (DCCGraham) noted the attack is a clear signal of the growing and changing nature of cyber threat. There has been a fast and extensive growth globally of the capacity and means by which criminals attack large and protected organisations. This signifies to organisations, particularly in the public sector, that there is still work to be done. Regarding data loss experienced recently in England and Wales, CCLivingstone confirmed he was satisfied there was minimal, if any impact to Police Scotland as the data loss was specific to a Home Office system.
- The Interim Chair referred to a previous comment from CCLivingstone on Police Scotland seeking independent advice to review the approach to equality and diversity issues raised following the Dame Elish Angiolini review and sought an update on progress made. DCC Fiona Taylor (DCCTaylor) highlighted the importance of taking the time to fully understand how the organisation can bring lasting positive change, and how it can align work which is already progressing to support officers and staff from diverse backgrounds. DCCTaylor confirmed Police Scotland will take a collective approach to next steps and will invite key internal and external stakeholders to enhance oversight.

The Authority **RESOLVED** to:

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- **NOTE** the update.
- **AGREE** the following actions:

A progress update on the work to review the approach to equality and diversity issues raised following the Dame Elish Angiolini review, to be provided to future Authority meetings.

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## 5. SPA INTERIM CHIEF EXECUTIVE'S REPORT

Members considered the report which detailed activities carried out by the Interim Chief Executive and the Executive Team since the previous Authority Meeting. Lynn Brown (LBrown) highlighted a number of key points as detailed in the paper.

The Authority **RESOLVED** to:

- **NOTE** the report

## 6. INDEPENDENT ADVISORY GROUP ON POLICE USE OF TEMPORARY POWERS RELATED TO THE CORONAVIRUS CRISIS

Members considered the report which provided an update on the work carried out by the Independent Advisory Group. John Scott QC (JScott) highlighted a number of key points as detailed within the paper, emphasising that overall Scotland has maintained a consistent approach to communication and enforcements, and that greater support is more important for public safety than greater enforcement or higher levels of fine. Covid related activity remains a small proportion of policing activity. He confirmed that the frequency of IAG meetings has not decreased.

In discussion the following matters were raised:

- DCC Will Kerr (DCCkerr) agreed there was a dip in confidence over the Christmas period, due to the move from Tier 2 to 4 in the North of the country. There was also notable frustration at the changing Christmas rules and general fatigue. Members were advised however that user satisfaction levels remained high
- Members were informed that a synthesis of all different sources of evidence continues to confirm that use of powers by Police Scotland



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in general remains compliant, both in application and spirit, human rights principles and legal obligations.

- Members welcomed the partnership working between Police Scotland and civic society organisations.
- With regards to policing demonstrations, JScott informed Members that inconsistencies in approach is a response to a number of legitimate factors such as intelligence and those demonstrations where people are well prepared for social distancing.
- Members were assured by Police Scotland that PPE procurement and supply chain management were in a strong place and the health, safety and wellbeing of staff remains paramount. Guidance is appropriate and equipment is available to those who need it, when they need. Staff are also following guidance put in place to minimise outbreaks within the workplace.
- The Interim Chair confirmed the SPA will shortly commence the 4<sup>th</sup> wave of polling.
- The Interim Chair suggested future consideration should be given to understanding the link between advice and scrutiny from the group, and how that has been used by Police Scotland for future learning.

The Authority **RESOLVED** to:

- **NOTE** the report.

### 7. STRATEGIC WORKFORCE PLAN

Members considered the paper which provided an update on the development of the Police Scotland Strategic Workforce Plan.

CCLivingstone informed Members it was the latest of a number of core strategies and statements of intent produced by Police Scotland. He acknowledged it was not a traditional area of work within policing therefore had been a challenge and the organisation had to develop quickly. CCLivingstone highlighted it is the only workforce plan that exists within the justice sector, therefore was an important milestone and achievement.

DDCTaylor added that the plan was a first iteration which would continue to grow and was a strong foundation to build upon. DCCTaylor highlighted the plan provides the organisation with a planning tool, which gives details on demographics and draws on demand data. The national work streams identified will help provide the highest level of service while



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ensuring financial value. DCCTaylor confirmed Police Scotland will continue to engage with staff, officers and staff associations as the plan develops.

Jude Helliker (JHelliker) further added the development had followed recommended methodology from auditors and provided an evidence based approach. JHelliker confirmed the national work streams will be managed through the change function and monitored on a quarterly basis.

CCLivingstone, DCCTaylor and JHelliker paid tribute to the project team for delivering the plan against a challenging timeframe.

In discussion the following matters were raised:

- Members were assured that although an iterative document, it was a management tool ready for use and work would progress against the eight national work streams identified. Demand methodology will continue to evolve and Police Scotland will enhance how demand data is used.
- Members noted the difficulty in measuring and predicting policing demand, therefore highlighted the importance of understanding realistic expectations on what demand analysis can be done. CCLivingstone acknowledged it was a discipline which previously had not been given sufficient attention but the organisation now had a better capability to understand data.
- Elaine Wilkinson (EWilkinson) reflected on discussions at the Resources Committee, noting that since the pandemic the SPA had taken a more pragmatic view on timelines. EWilkinson noted the plan is owned by and for the use of Police Scotland, and Authority interest and expectations are based on the Audit Scotland guidance which provides the assurance the Authority requires. Audit Scotland guidance provided a number of key questions and those are where the Authority identifies gaps. EWilkinson noted she welcomed the iterative process and governance structures to support it, but noted that the Resources Committee has set out a number of expectations which have not yet been met in the current iteration. These include the overall strategic vision of the future workforce; how demand will be met through the changes of the skill set; the impact of the planned transformation portfolio; and the alignment between scenarios in the work force plan and scenario planning in the financial setting. CCLivingstone confirmed that all comments raised

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by Audit Scotland have been responded to, and that the organisation has an understanding of demand, based on data, which few other forces do. CCLivingstone confirmed the organisation will continue to develop the plan and recognised the comments and observations that have come from the Resources Committee. CCLivingstone highlighted continued work would be undertaken against a structural deficit which others, including Audit Scotland, have recognised.

- Members were informed that Police Scotland would not be introducing force management statements which have been developed in England in Wales.
- Members were advised that there was no optimum ratio of police staff to police officers.
- Members noted a future challenge for the plan would be to recognise the skills needed for the emerging work on cybercrime.
- Members were assured that staff associations had been involved in many discussions and working groups that had taken place but the final version was not shared as early as it perhaps could have been. Discussions will continue with staff association as the plan evolves.
- The Interim Chair acknowledged it was a challenging strategic endeavour and had arrived on the timescales Police Scotland committed to.

The Authority **RESOLVED** to:

- **NOTE** the report

## 8. POLICING RESPONSE TO EU EXIT

Members considered the paper which provided an update on contingency planning undertaken across Police Scotland in preparation for the United Kingdom's departure from the European Union on the 31st December 2020. DCCKerr highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- Members were advised that the loss of SIS II was significant, however the contingency measure is to utilise the Interpol systems.
- Members were advised of the introduction of a new European warrant framework through the Interpol system, and were provided

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live examples detailing their current use of European arrest warrants.

- Members were informed that following the loss of European investigation orders, a framework on mutual legal assistance had been put in place. This is a streamlined process which allows the benefits of engagement with EU states. It was confirmed there is evidence it is working smoothly.
- Members were assured that access and links to Europol and Eurojust had been maintained, as well as Passenger Name Records and PRUM.
- Members were advised that an area which is still under progress is around extradition, specifically for EU member states to extradite their own nationals. Members were advised a contingency plan was being progressed.
- CCLivingstone advised that, due to Covid-19, lower numbers of people were moving through ports so the Brexit impact is not fully known.
- The Interim Chair acknowledged the different challenge going forward and agreed that reporting to every Authority meeting should cease, with any exceptions being highlighted by CCLivingstone.

The Authority **RESOLVED** to:

- **NOTE** the report

**9. INDEPENDENT REVIEW OF COMPLAINTS HANDLING,  
INVESTIGATIONS AND MISCONDUCT ISSUES IN RELATIONS TO  
POLICING: SPA RESPONSE TO THE FINAL REPORT**

Members considered the paper which highlighted those recommendations in the final report of the Independent Review of Complaints Handling which are directly applicable to the SPA and to explain the means by which these are to be implemented. Robin Johnston highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- Matt Smith, Chair of Complaints and Conduct Committee, emphasised there has been a willingness from the Committee and the Authority to progress and recognise the need to make changes. Progress has already been made on the preliminary report and the

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Committee look forward to seeing what work can be taken forward from the final report.

- CCLivingstone confirmed a number of recommendations from the preliminary report have been implemented. Some recommendations from the final report have already been progressed while others will take longer as they require statutory changes and work continues to address this. CCLivingstone acknowledged the organisation will continue to apply learning from the recommendations.

The Authority **RESOLVED** to:

- **NOTE** the report

### 10. LOCAL POLICING PROGRAMME

Members considered the report which provided an overview of the proposed themes and activities to be included in the Local Policing Programme for 2021/22. DCKerr highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- Members were assured feedback was received from Local Authority representatives through Scrutiny Conveners Meetings and bi-monthly meetings with COSLA and SOLACE.
- Members were informed there were youth volunteers in every Authority area although they were not as active as in previous years due to Covid-19 regulations. Youth Volunteers had worked on preventative activity, such as campaigns on home security, which can be extended into other issues online such as cyber and online security. Members were advised the organisation was actively looking to extend the number of Special Constables and the range of work they can undertake.
- Members were assured that learning from trauma informed practices was shared and embedded through the organisation. Continuous learning would be embedded through themes 4 and 7.
- Martyn Evans (MEvans) advised Members that the Policing Performance Committee co-chaired a session on engagement with SOLACE and Senior Officers, and views raised were that local engagement was working well but a single approach was not desirable. Work continues to increase visibility of SPA engagement which the Policing Performance Committee will continue to monitor.

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- CCLivingstone highlighted the Local Policing Programme reiterates the commitment to bring the benefits of a national service capability but with a locally tailored service. He thanked DCC Kerr and his team for the work undertaken.

The Authority **RESOLVED** to:

- **NOTE** the update.

### 11. CONTACT ASSESSMENT MODEL (CAM) REPORT

Members considered the report which provided an update following the completion of the delivery of the Contact Assessment Model into Police Scotland and the formal closure of the project in December 2020. ACC John Hawkins (ACCHawkins) highlighted a number of key points as detailed within the paper.

MEvans acknowledged the huge transformation undertaken whilst still dealing with a large number of calls. The CAM Oversight Group recognised the delivery had been successful due to clear programme management, phased implementation and constant assurance on progress. MEvans stated that without a well-functioning C3 and CAM, the response to Covid-19 would have been less effective. He highlighted a report from HMICS was expected which would provide additional assurance, and highlighted the high satisfaction levels recorded from regular reviews.

In discussion the following matters were raised:

- ACCHawkins acknowledged the work of the CAM Oversight Group, noting Police Scotland welcomed the support and challenge.
- Members were briefed on the various strands of internal and external activity to engage and deliver the new model.
- Members were informed that a video calling facility had been introduced as well as online reporting for lower level Covid-19 matters which had been used well.
- Members commended the work of ACCHawkins, Chief Superintendent Roddy Newbigging and their team for the work undertaken, and in accelerating the roll out.

The Authority **RESOLVED** to:

- **NOTE** the update.

### 12. COMMITTEE AND OVERSIGHT GROUP REPORTS

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Members considered the paper which provided an update on business progressed since the last Authority meeting through the:

- Complaints and Conduct Committee
- Legal Committee
- Resources Committee
- Policing of COP26 Oversight Group

The Authority **RESOLVED** to:

- **NOTE** the report.

APPROVED

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**AUTHORITY MEETING**

**24 February 2021**

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**Minute of the SPA Authority Meeting held on Wednesday, 24  
February 2021 via Video-conference**

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Board Members Present: Martyn Evans (Chair)  
Tom Halpin  
Robert Hayes  
Grant Macrae  
Michelle Miller  
Mary Pitcaithly  
Jane Ryder  
Matt Smith  
Caroline Stuart  
Elaine Wilkinson

In attendance: Police Scotland  
Chief Constable Iain Livingstone  
Deputy Chief Constable Will Kerr  
Deputy Chief Constable Fiona Taylor  
Deputy Chief Officer David Page  
James Gray, Chief Financial Officer  
Andrew Hendry, Chief Digital and Information Officer  
(Item 8)  
Jude Helliker, Director of People and Development (Item  
10)  
James Bertram, Health and Safety Manager (Item 10)  
Inspector Daniela Gionnoni (Item 10)

Scottish Police Authority (SPA)  
Lynn Brown, Interim Chief Executive Officer  
Barry Sillers, Deputy Chief Executive, Strategy and  
Performance  
Tom Nelson, Director of Forensic Services  
Fiona Douglas, Head of Function (Item 8)  
John McNellis, Head of Finance, Audit and Risk (Item 7)



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Independent Advisory Group on Police Use of Temporary  
Powers Related to the Coronavirus Crisis

John Scott QC (Item 6)

Azets

Gary Devlin, Audit Partner (Item 7)

SPA Secretariat

Eleanor Gaw, Governance and External Relations Lead

Karen Vallance, Governance Support Officer

### 1. WELCOME AND STANDING ITEMS

The Chair opened the meeting and welcomed all Authority Members and representatives from the Police Scotland senior leadership team. He confirmed Jane Ryder (JRyder) would chair the meeting if he were disconnected from the video-conference.

The Authority **RESOLVED** to:

- **NOTE** no Member apologies;
- **NOTE** no declarations of interest;
- **NOTE** Members raised no other business;
- **AGREE** that, in accordance with paragraph 20 of the SPA Standing Orders, the Board would consider items 14 - 18 in private for the reasons set out on the agenda.

### 2. MINUTES AND ACTIONS FROM PREVIOUS MEETING

The Authority **RESOLVED** to:

- **ADOPT** the minute of the 22 January 2021;
- **NOTE** the action log and that there were no matters arising;
- **NOTE** no decisions have been taken since the last meeting.

### 3. SPA CHAIR'S REPORT

The Chair provided an overview of his report, drawing particular attention to the draft budget announcement.

The Board **RESOLVED** to:

- **NOTE** the update

#### 4. CHIEF CONSTABLE'S REPORT

Chief Constable Livingstone (CCLivingstone) provided a detailed summary of the paper. In addition to the information provided in the paper, he highlighted the following additional points:

- CCLivingstone congratulated Martyn Evans on his new role as Chair and confirmed he was looking forward to working with him.
- CCLivingstone confirmed Police Scotland were not looking for anyone else with regards to the critical incident in Kilmarnock on 4 February 2021. He extended condolences to the families of those involved.
- CCLivingstone acknowledged the serious growing threat of fraud from serious and organised crime and confirmed further information will be shared at a future Policing Performance Committee and then the full Authority at an appropriate time.
- CCLivingstone advised that there had been 110,000 recorded interactions with the public regarding Covid-19 with only a small percentage resulting in any formal enforcement action being taken. The recording of interactions is an example of best practice to document the impact the pandemic has had on communities.
- CCLivingstone welcomed the introduction of the United Nation Convention on the rights of the child which he noted will have implications across public life.
- CCLivingstone recorded his personal gratitude to Police Officers and staff for all work undertaken during Covid-19 pandemic.
- CCLivingstone confirmed work was progressing to introduce an MOU to support effective and transparent consultation and engagement when Police Scotland look to introduce new technologies. The MOU will provide a consistent framework to allow engagement with communities and interest groups in a way that aligns with the organisations core principles and values. The use of drones was an example of when communication at times can be misunderstood and clear public engagement with the public is key. They are extremely useful and critical and have been used to support a number of missing person enquiries, public order and critical incidents. CCLivingstone stated that drones are critical to assist policing but are not used covertly and there are no plans to do so.

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In discussion the following matters were raised:

- The Chair welcomed the work on the MOU regarding engagement of new technologies. He noted it helped get ahead of public discussions and was critical for maintaining public confidence.
- Members were advised that not all training had been cancelled but Police Scotland had been reconsidering the training regime as the need to maintain capability, resilience and health and safety was recognised. Planning is underway to establish a timeline for recommencing non-essential training in a Covid-19 safe environment.
- CCLivingstone agreed to provide an update on the status of investigation and lessons learned from the SEPA cyber-attack.
- Members were informed that Police Scotland have a duty to record those who have received the Covid-19 vaccine within the force to allow a wellbeing follow up plus a greater awareness should the vaccine programme become sector by sector. CCLivingstone highlighted there was a strong case to be made for officers and staff, as well as other key workers in public life, to be vaccinated as a priority. CCLivingstone confirmed there was an understanding within Scottish Government of the concerns of policing and he would continue to advocate for prioritised vaccines.
- With regard to the recent vehicle accident on the A90, CCLivingstone highlighted that the safety and wellbeing of young people is central to what Police Scotland do but part of the ability to discharge duties is to make sure they do not put themselves at harm. He highlighted that when vehicles are driving at speed, it is not possible to quickly identify the age of the driver. DCC Will Kerr (DCC Kerr) provided an overview of the pursuit policy, explaining the three basic principles that are followed to try and stop a vehicle. DCC Kerr confirmed that only trained authorised advanced drivers are involved in a police pursuit.
- With regard to the UN Convention on the rights of the child, CCLivingstone confirmed that horizon scanning is being undertaken within ACC Ritchie's portfolio. CCLivingstone advised that the focus on children rights is something that has always been a commitment within policing and a combination of Covid-19 and proposed legislative changes has ensured that focus becomes more acute. CCLivingstone advised that the area of work would not necessarily

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be reported under transformational change as it was business as usual in response to legislative changes.

- Mary Pitcaithly (MPitcaithly) referred to the legal actions raised against Police Scotland, in relation to the Rangers Football Club legal case. She confirmed the evidence given by CCLivingstone at the Public Audit and Post-Legislative Committee was consistent with the information provided to the Legal Committee, and the Committee would continue to receive updates. CCLivingstone confirmed that when circumstances arise which is beyond what is legitimately Police Scotland's core purpose and has a financial burden, it is the duty of Chief Constable to raise with the Authority which he would continue to do so.

The Authority **RESOLVED** to:

- **NOTE** the update.
- **AGREE** the following actions:

Members to be updated on status of SEPA investigation re cyber-attack and any lessons learned identified.

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### 5. SPA INTERIM CHIEF EXECUTIVE'S REPORT

Members considered the report which detailed activities carried out by the Interim Chief Executive and the Executive Team since the previous Authority Meeting. Lynn Brown (LBrown) highlighted a number of key points as detailed in the paper.

The Authority **RESOLVED** to:

- **NOTE** the report

### 6. INDEPENDENT ADVISORY GROUP ON POLICE USE OF TEMPORARY POWERS RELATED TO THE CORONAVIRUS CRISIS

Members considered the report which provided an update on the work carried out by the Independent Advisory Group (IAG). John Scott QC (JScott) highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

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- JScott agreed that the main headline the IAG would publically highlight is that the approach to policing in the pandemic has been notable for its consistency and respect for human rights.
- Members referred to the data singling out women and older people as those most likely to breach regulations and noted those groups are not what the public would anticipate. JScott responded that the occasional suggestion that young people are those mostly breaching regulations is misleading and that part of the public narrative is wrong.
- Members questioned whether there was a change in attitude and emphasis on the first 3E's from Officers. JScott advised that an increase in enforcement is not due to abandoning the 4e approach. He noted the first engagement might end up going quickly to enforcement depending on response but most groups are dispersing when police arrive. He confirmed the 4e approach is fundamental to providing a proportionate human rights response.
- Members were advised that a detailed response had been received from Scottish Government regarding pre-legislative scrutiny which would be shared and discussed at the next IAG.
- DCC Kerr informed Members that conversations continue with the IAG on how learning can be taken forward, on areas that went well and also what could have been done better. DCC Kerr highlighted that the first public survey was undertaken within the first month of restrictions which has helped learning. Survey responses indicated the public want more public reporting if officers will be seen less, which has been done. DCC Kerr confirmed that an external independent review would take place which JScott welcomed.
- DCC Kerr advised Members that only a small minority of the public continue to flout the regulations, however Officers only use enforcement if there is a blatant or repeated breach. The figures for interventions, dispersals and fixed penalty notices have been steadily rising over the last few months. DCC Kerr confirmed Police Scotland are starting to prepare operationally for the easing of restrictions.

The Authority **RESOLVED** to:

- **NOTE** the report.

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## 7. INTERNAL AUDIT PLAN

Members considered the paper which presented the Annual Audit Plan 2021/22. LBrown highlighted a number of key points as detailed within the paper.

JRyder, Chair of Audit, Risk and Assurance Committee, commended the work of SPA staff and Azets staff in drafting the plan

The Authority **RESOLVED** to:

- **NOTE** the report
- **APPROVE** the Annual Audit Plan

## 8. TRANSFORMATIONAL CHANGE

### 8a. Oversight of Change in Policing

Members considered the paper which documented and highlighted the SPA Board and Committee coordinated activity associated with the oversight of the content, progress, pace and impact of transformational change to support the continuous improvement of the policing of Scotland. Barry Sillers highlighted a number of key points as detailed within the paper.

The Chair noted the paper publically details what has been done and demonstrates the alignment between SPA and Police Scotland in the area.

The Authority **RESOLVED** to:

- **NOTE** the report

### 8b. Police Scotland Transformational Change

Members considered the paper which provided an update in relation to the Oversight of Change within Police Scotland. Andrew Hendry highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- The Chair noted the paper details what change activity is being reported to Committee's which was helpful however the Authority required more high level assurance.
- Members referred to the 1185 FTE efficiencies and sought further information on where those efficiencies are being used and how the impact is analysed. Members were informed that the significant

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capacity created had been absorbed within local policing to respond to additional demand and specialist areas. Demand analysis was being undertaken to demonstrate those efficiencies within workforce planning, which could be brought back to the Authority in due course.

- Members discussed the digital evidence sharing project, agreeing they shared the ambition with Police Scotland but raised concern over the areas of governance and accountability. Members requested that while reporting continue through the Resources Committee the full Authority be sighted at the earliest opportunity due to the significant risks. DCO David Page agreed.
- Members were advised each activity had a RAG status of either green or amber but the specific status of each activity would be confirmed.

The Authority **RESOLVED** to:

- **NOTE** the report
- **AGREE** the following action:

RAG status of all assurance activity to be confirmed to Members.

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### 8c. SPA Forensic Services Transformational Change

Members considered the paper which provided an update on the Forensic Services 2026 programme. Fiona Douglas highlighted a number of key points as detailed within the paper.

Members were advised that Covid-19 had changed working practices and the learning had been incorporated into the operating model and work continues with Police Scotland the Crown Office to determine the impact. However, Members were assured that Covid-19 did not present any challenges to the Forensic Services Change programme.

The Authority **RESOLVED** to:

- **NOTE** the report

## 9. WORKFORCE DIVERSITY, INCLUSION AND EQUALITY IN POLICING



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Members considered the paper which provided an update on the work being carried out by Police Scotland to mainstream Equality, Diversity and Inclusion. DCC Fiona Taylor (DCCTaylor) highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- Members were informed that benchmarking work is being done with comparative forces in England and Wales on gender and race.
- Members were assured that focus groups for black and ethnic minority officers would continue to run.
- Members were informed that the Independent Review Group was set up in response to a Dame Angiolini recommendation and membership will be entirely independent with an independent Chair.
- Members were advised that lots of data sets were available but there were limitations within all. Work is progressing to interrogate internal systems to pull relevant data. Police Scotland want to be an organisation where people don't feel afraid to self-categorise, and this will enable the organisation to track progress and ensure no unconscious bias.
- Members were informed work was being done through the Your Safety Matters initiative to protect the organisation from discrimination. The initiative is also supportive within the Crown Office who had provided reassurance that racist behaviours will not be tolerated and will be prosecuted where possible.
- Members were assured that the overwhelming majority of colleagues act with respect and there is support within the organisation for those who report unacceptable behaviours. One of the key areas currently being looked at is to ensure new staff are aware of the requirement to advocate and instil an expectation that discrimination should not be tolerated and that support will be provided to those who highlight any instances.
- CCLivingstone reflected on Members questions noting there was clear experience of trying to develop a culture that celebrates equality and inclusion which the service can draw on. CCLivingstone noted he felt policing is uniquely diverse compared to other professions and reiterated the commitment from Police Scotland to progress work.
- The Chair acknowledged the large ambition, noting the Authority was keen to see progress and looked forward to future reports.

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The Authority **RESOLVED** to:

- **NOTE** the report

## **10. HEALTH, SAFETY AND WELLBEING**

### **10a. Health and Safety Report Quarter 3**

Members considered the report which provided a strategic overview in relation to Health & Safety within the SPA and Police Scotland. James Bertram highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- Members were informed that the policing response to the Covid-19 pandemic had resulted in a rising number of RIDDORS.
- Members were assured that risk assessments of PPE equipment were being carried out every 1-2 weeks and officers and staff were wearing FP3 masks at Covid-19 scenes which offered the best protection.

The Authority **RESOLVED** to:

- **NOTE** the update.

### **10b. Wellbeing Report Quarter 3**

Members considered the report which provided an update on Q3 Wellbeing activities and proposes next steps to continue to mainstream the wellbeing agenda. Jude Helliker highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- Members discussed the use of benchmarking against similar sized organisations which are also dispersed against a large area. Elaine Wilkinson informed Members that the Resources Committee have sought to get an evidence based approach and are now looking to get a dashboard to measure the impact of initiatives.
- MPitcaithly advised the Authority the Legal Committee were concerned on the delay to ill health retirements and injury on duty awards, however occupational health providers have increased capacity which will help with progressing cases. The Committee had been informed that regular contact was being made with officers affected and a collegiate approach with partners was ensuring progress was being made. MPitcaithly advised that any officer who has been impacted by the delay and would be suffering a reduction

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in pay would maintain the applicable rate of pay until medical examinations were complete.

- Members requested pulse survey results are reported to the People Committee.

The Authority **RESOLVED** to:

- **NOTE** the update.
- **AGREE** the following action:

### 11. FORENSIC SERVICES PERFORMANCE REPORT QUARTER 3

Members considered the report which presented the Forensic Services Performance Report, Q3 2020/21. Tom Nelson highlighted a number of key points as detailed within the performance report and provided a Director's update on other Forensic Services business.

In discussion the following matters were raised:

- Members were informed there was a significant overspend due to a change in expectant staff gapping however the Forensic Services Committee and the Resources Committee are both fully sighted and it is being managed within the budget.
- Members were advised that Forensic Services were involved in the scoping and design of the digital evidence sharing project and would embrace and endorse any opportunities which arise.

The Authority **RESOLVED** to:

- **NOTE** the update.

### 12. FINANCIAL PERFORMANCE REPORT QUARTER 3

Members considered the report which provided an update on the financial position of the SPA and Police Scotland for quarter three of the financial year 2020/21, as well as forecasting the full outturn to 31 March 2021. James Gray (JGray) highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- LBrown advised that the level of risk has been diminished over the year as there was more certainty on what the outturn will be. LBrown commended the work of JGray and his team.

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- Members were advised there was extensive discussion at the Resources Committee around the pressure to spend the capital budget but had took assurance of the procedures and processes in place to deliver that.

The Authority **RESOLVED** to:

- **NOTE** the update.

## 12. COMMITTEE AND OVERSIGHT GROUP REPORTS

Members considered the paper which provided an update on business progressed since the last Authority meeting through the:

- Audit, Risk and Assurance Committee
- Succession Planning and Appointments Committee
- Forensic Service Committee
- Resources Committee

The Authority **RESOLVED** to:

- **NOTE** the report.

The Chair thanked Members for their discussion and openness on bringing personal aspects. He informed attendees he intended to look at frequency and content of future meetings.

*END.*

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**AUTHORITY MEETING**

**24 March 2021**

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**Minute of the SPA Authority Meeting held on Wednesday, 24  
March 2021 via Video-conference**

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Board Members Present: Martyn Evans (Chair)  
Tom Halpin  
Robert Hayes  
Grant Macrae  
Michelle Miller  
Mary Pitcaithly  
Jane Ryder  
Matt Smith  
Caroline Stuart  
Elaine Wilkinson

In attendance: Police Scotland  
Chief Constable Iain Livingstone  
Deputy Chief Constable Malcolm Graham  
Deputy Chief Constable Will Kerr  
Deputy Chief Constable Fiona Taylor  
Deputy Chief Officer David Page  
Assistant Chief Constable Gary Ritchie (Item 8)  
Assistant Chief Constable Bern Higgins (Item 9)  
James Gray, Chief Financial Officer  
Jude Helliker, Director of People and Development  
Tom McMahon, Director of Strategy and Analysis (Items  
10-12)  
Andrew Hendry, Chief Digital and Information Officer  
(Item 10)

Scottish Police Authority (SPA)  
Lynn Brown, Chief Executive Officer  
John MacLean, Workforce Governance Lead (Item 8)

SPA Secretariat  
Eleanor Gaw, Governance and External Relations Lead  
Karen Vallance, Governance Support Officer

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**1. WELCOME AND STANDING ITEMS**

The Chair opened the meeting and welcomed all Authority Members and representatives from the Police Scotland senior leadership team. He confirmed Jane Ryder would chair the meeting if he were disconnected from the video-conference.

The Authority **RESOLVED** to:

- **NOTE** no Member apologies;
- **NOTE** no declarations of interest;
- **AGREE** one additional item of business- correspondence on morbid toxicology and business planning. Taken as Item 17 in private in accordance with the SPA Standing Orders section 20 (commercial sensitivity);
- **AGREE** that, in accordance with paragraph 20 of the SPA Standing Orders, the Board would consider items 14 - 17 in private for the reasons set out on the agenda.

**2. MINUTES AND ACTIONS FROM PREVIOUS MEETING**

The Authority **RESOLVED** to:

- **ADOPT** the minute of the 24 February 2021;
- **NOTE** the action log and that there were no matters arising. Members raised concern that there was no clarity on public information that may help organisations prioritise their cyber defences. DCC Malcolm Graham (DCCMGraham) assured Members that work continues with other organisations to share information. The Chair suggested further updates could be included in future Chief Constable's reports.
- **NOTE** a decision was made in respect of the appointment of a permanent Chief Executive. Following a recruitment process, Lynn Brown (LBrown) was the successful candidate. The Chair and Chief Constable Iain Livingstone (CCLivingstone) congratulated LBrown on her appointment.

### 3. SPA CHAIR'S REPORT

The Chair referred to his report and highlighted the following points:

- The Chair referred to CCLivingstone's decision to invite the Independent Advisory Group (IAG) to consider the policing response to the assembly of football fans in Glasgow on 6 and 7 March. The IAG Chair, John Scott QC, had written to the Authority on the group's conclusions, published on the Authority website. The Chair thanked the IAG for their rapid consideration, commended Local Commanders for discretionary decisions made and Police Scotland leadership for holding themselves to intense scrutiny and public account.
- The Chair noted that three Members were stepping down from the Board at the end of March; Elaine Wilkinson, Bob Hayes and Matt Smith. He thanked them for their service to the public interest in policing, their counsel, commitment and friendship. The Chair highlighted that six new Board Members join the Authority from 1 April. The Chair stated he intended to engage with all Members to seek their advice and guidance with a view to appointing to Committees, and agreeing Committee Chair's for vacant posts. Subject to Members agreement, the outcome of those discussions would be reported to the May meeting.

The Board **RESOLVED** to:

- **NOTE** the update
- **ENDORSE** the approach to review and appoint Members to Committees, oversight and external representative groups.

### 4. CHIEF CONSTABLE'S REPORT

- CCLivingstone provided a detailed summary of the paper. In addition to the information provided in the paper, he highlighted the following additional points: CCLivingstone referenced the letter from John Scott QC relating to the policing response to the assembly of football fans and reiterated the approach taken by Police Scotland in respect of new legislation. CCLivingstone stated the officers took appropriate steps to manage these challenging circumstances to protect people, to minimise disruption to the community and to ensure there was no large scale disorder.
- CCLivingstone stated that Police Scotland have a vital role to play to help build society and challenge attitudes and behaviours, and in



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particular violence against women. He highlighted Police Scotland's work with women's groups to tackle and prevent crimes and support survivors. CCLivingstone stressed that anyone who is the victim of crime can be assured Police Scotland will listen and carry out appropriate investigations.

- CCLivingstone thanked officers and staff for their work and for additional duties undertaken during the pandemic, whilst facing the same concerns and anxieties as everyone else at this time.
- CCLivingstone stated that Police Scotland have strong levels of engagement with the public, and public confidence remains high. He confirmed the Annual Police Plan priorities remain valid, protecting the vulnerable, working with communities, and ensuring officers and staff have the tools they need to do their jobs, and the plan recognises the demanding year ahead.
- CCLivingstone summarised the discussion topics at the UK Police Chiefs' meeting, specifically in relation to COP26.
- CCLivingstone referred to the balanced budget and noted that the decision by the Scottish Government to eliminate the structural deficit, was a sign of confidence in policing. He noted the additional capital funding for fleet as a positive step forward to deliver policing services.
- CCLivingstone confirmed Police Scotland are committed to ensuring effective and transparent consultation. He summarised the engagement undertaken with Local Authority scrutiny conveners and underway in relation to Tasers, which provided an opportunity to explain how the use of Taser can improve the safety of the public and officers in the face of rising numbers of incidents involving bladed weapons and assaults on police officers. He also referenced the developing Memorandum of Understanding and Police Scotland engagement approach, which will allow the organisation to build understanding and support for new ways of working and the use of new technologies.

In discussion the following matters were raised:

- The Chair joined CCLivingstone in thanking staff and officers throughout the organisation for their work undertaken during the last 12 months.

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- Members sought further information on Police Scotland's response to violence against women. CCLivingstone recognised that advising people to stay at home due to coronavirus restrictions was difficult for those suffering from domestic violence within the private space. He assured Members that Police Scotland react to vulnerabilities within the virtual, private and public space, and the organisation makes a sustained effort to improve safety for women and girls. DCCGraham informed Members that as some statutory services have been less available during lockdown, Police Scotland has focused on multi-agency partnerships and benefits from that activity have been sustained. DCCGraham noted focus has consistently been on impacting men's behaviour and Police Scotland have run a series of sustained campaigns on men taking responsibility for their behaviour, some of which have focused on influencing the attitudes of younger men and boys. DCCGraham assured Members that conversations have been initiated to ensure that women are feeling safe within the public space.
- Members discussed the policing response to the assembly of football fans on 6 and 7 March and commended the action of officers involved. Members were advised that the style of policing football matches did not change following that weekend, and multi-agency learning was undertaken quickly in advance of future games. CCLivingstone stressed that the most influential voice for public messaging comes from within Football teams during these events.
- Members sought clarity on whether CCLivingstone was satisfied that Police Scotland are making progress on persuading Scottish Government and parliamentarians that there should be better scrutiny of legislation and regulation. CCLivingstone stated that policing was central to human rights, and the pandemic had been challenging in terms of the immediacy with which legislation was being introduced. The use of discretion has been an important part of the policing response. DCC Will Kerr (DCCKerr) added that the letter from John Scott QC encapsulated the approach taken, in not creating a policy rich environment in how Police Scotland respond to covid, but in trusting the strong bond between police officers in and the public and communities in Scotland.

The Authority **RESOLVED** to:

- **NOTE** the update.

## 5. SPA CHIEF EXECUTIVE'S REPORT

Members considered the report which detailed activities carried out by the Chief Executive and the Executive Team since the previous Authority Meeting. LBrown highlighted a number of key points as detailed in the paper, and extended best wishes to departing Board Members on behalf of SPA staff

The Authority **RESOLVED** to:

- **NOTE** the report

## 6. SCOTTISH POLICE AUTHORITY BUDGET 2021/22

Members considered the report which presented the proposed 2021/22 revenue, capital and reform budgets, and the schedule of rates for event and other services (2021/22) for approval. James Gray (JGray) highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- LBrown, as Accountable Officer, confirmed she supported the budget.
- CCLivingstone confirmed productive engagement had taken place with both the Cabinet Secretary for Justice and the Cabinet Secretary for Finance. He thanked finance staff for the work undertaken.
- The Chair also thanked staff involved, noting the budget reflected an accumulation of goodwill and hard work.
- Elaine Wilkinson, Resources Committee Chair, confirmed the Committee had scrutinised and recommended the paper to the Authority, emphasising that the revenue budget was based on the draft public sector pay policy, which has now been enhanced. Related discussions with Scottish Government are as a consequence underway. She thanked and commended JGray and his team.
- Members were advised that capital allocations are reported from a change perspective to group projects per programme level. A further breakdown is reported monthly to the Police Scotland Change Board.

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The Authority **RESOLVED** to:

- **APPROVE** the SPA draft Budget 2021/22 and the schedule of rates for events and other services 2021/22.

### 7. ENVIRONMENTAL STRATEGY

Members considered the paper which presented the Environmental Strategy. JGray highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- Confirmation was provided that the Resources Committee recommended the strategy for approval.
- Members were informed that Police Scotland carry the risk of asset disposals timing and work was ongoing to seek to transfer that risk to Scottish Government which would provide more stability.
- Members congratulated the Head of Fleet who had been asked to take on the role of fleet environmental lead for all UK police forces.
- Members were assured that Police Scotland were mindful of the potential change to property demand and value, as a result of Covid-19, and would monitor the situation.

The Authority **RESOLVED** to:

- **APPROVE** the Environmental Strategy.

### 8. EQUALITIES OUTCOMES

Members considered the paper which requested approval of the refreshed Joint Equality Outcomes for Policing. LBrown and DCC Fiona Taylor (DCCTaylor) highlighted a number of key points as detailed within the paper, of SPA and Police Scotland areas respectively.

In discussion the following matters were raised:

- Members requested consideration be given to adding a protected characteristic relating to people with a care experience background. LBrown agreed to discuss further with DCCTaylor. ACC Gary Ritchie offered reassurance that consultation on protected characteristics was extensive and not limited.

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- Members welcomed the extent of engagement and the decision to report jointly.
- Members were informed that an Equality Impact and Human Rights Impact Assessment (EqHRIA) improvement group had been established which would provide consistency and assurance. Work is ongoing to develop a draft EqHRIA framework with the intention to bring the finalised framework to the strategic oversight board.
- Members were advised a suite of performance metrics were being collected and the inclusion of benchmarking protocols within the final suite of indicators would be considered.
- Members were informed that staff associations, trade unions and diversity staff groups are members of the new strategic oversight board therefore involved in the governance response to equality outcomes.
- Members were advised that the strategy was aligned to Forensic Services strategic outcomes, and that Forensic Services were fully signed up to these outcomes and supportive of the approach.

The Authority **RESOLVED** to:

- **AGREE** the Joint Equality Outcomes for Policing.
- **AGREE** the following action:

Consideration to be given to adding a protected characteristic relating to people with care experience background.

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## 9. 26<sup>th</sup> CONFERENCE OF THE PARTIES (COP26)

Members considered the paper which provided an update on policing planning for COP26. DCKerr highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- Tom Halpin, Policing of COP26 Oversight Group Chair, confirmed the group worked with the Resources Committee to seek assurance on a number of areas.
- Members were informed that the MET Assurance Review was not a public document as it deals with operational sensitivities, but would be discussed fully at a future Policing of COP26 Oversight Group meeting.

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- Members were informed that mutual aid requests are calculated based on what is required to remain within business as usual policing. The profile of previous conferences has been used to aid planning.
- Members were assured any expenditure relating to COP26 is managed separately. Any procurement requests come through SPA but before contracts are awarded, assurance is sought from UK Government on funding. Any issues on funding which would create a risk would be escalated to the Authority.
- Members were informed of the briefing programme underway which would assist in maintaining public confidence and trust in policing within Scotland. ACC Bernie Higgins advised that COP26 policing leads in England and Wales have been briefed on the operation, with emphasis on policing style and tone. If Covid-19 restrictions allow, mutual aid commanders will be invited to Scotland for a familiarisation visit of key sites, to enable further engagement.
- Members were informed that the Chair and CCLivingstone have agreed a joint commitment to public discussions on protests and the challenges these bring to policing.
- Members sought assurance that significant capacity is built in to planning, to deal with anything unexpected, in addition to COP26 and business as usual.

The Authority **RESOLVED** to:

- **NOTE** the report

## 10. DRAFT ANNUAL POLICE PLAN

Members considered the report which provided the final version of the Annual Police Plan 2021/22. CCLivingstone highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- Members noted that points previously raised by the Policing Performance Committee had been incorporated.
- Members acknowledged the plan was ambitious, which it welcomed.
- Members were assured the plan was realistic and deliverable, despite the current constraints. Recognition that the service had previously been underfunded had provided a basis for the

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organisation to move forward and meet the challenges within the plan.

- Members were assured operational and tactical plans sit under the Police Plan and have, where appropriate, metrics and targets to allow easier progress reporting.

The Authority **RESOLVED** to:

- **NOTE** the update.

### 11. IMPLEMENTATION OF CYBER STRATEGY

Members considered the report which presented the associated implementation plan for year 21/22 for the Cyber Strategy. DCCGraham highlighted a number of key points as detailed within the report, and thanked the Chair and Chief Executive for discussions held. DCCGraham committed to publishing more detail and reporting regularly to the Authority.

In discussion the following matters were raised:

- Members were assured that year 1 funding was captured within the budget and future years would be picked up within financial planning.
- Members sought clarity on the schedule of funding and the exact number of staff it would cover. JGray agreed to provide further detail.
- Members recognised the amount of work undertaken and thanked Police Scotland for early sight.

The Authority **RESOLVED** to:

- **NOTE** the update.
- **AGREE** the following action:

Clarity to be provided on what the figure of £923,685 for additional staff will cover.

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### 12. POLICING PERFORMANCE REPORT QUARTER 3

Members considered the report which presented the Quarter 3 Performance Report.

In discussion the following matters were raised:



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- Members noted the Policing Performance Committee were supportive of the evolution of the framework and reporting, which allowed focus to move to what the report is detailing.
- Members were informed the Committee recognised that during lockdown some types of crime had increased and some decreased, and it was likely that those areas which had increased would stay at that level. The Committee therefore sought to understand how Police Scotland will address those changes. Members were informed that responses have been re-aligned to deal with changes in crime and increase in demand. CAM had also helped to mitigate that impact, with the biggest pressure being hidden demand within communities, such as mental health.
- Members heard the Committee welcomed the offer for an evaluation of wider partnership working in relation to drug related deaths. This will be reported back to the Committee.
- Members discussed the achievements related to naloxone use following the pilot.
- Members explored the area of online safety for young people, noting that working in partnership for prevention was key. Members were informed that online crime figures were rising significantly. This is not just due to increasing online crime, but is partly due to Police Scotland increasing activity to address this growing risk. This is a key area of work reflected in the Cyber Strategy.
- Members heard that the Chair and DCCTaylor had invited the Knowledge, Research and Practice Lead from the College of Policing to chair a group which would look at benchmarking Police Scotland performance against other police forces. The results of that group would be reported to the Policing Performance Committee.

The Authority **RESOLVED** to:

- **NOTE** the update.

### 13. COMMITTEE AND OVERSIGHT GROUP REPORTS

Members considered the paper which provided an update on business progressed since the last Authority meeting through the:

- Legal Committee
- Complaints and Conduct Committee
- Policing of Cop26 Oversight Group

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- Policing Performance Committee
- Resources Committee

The Authority **RESOLVED** to:

- **NOTE** the report.

The Chair and CCLivingstone thanked departing Members, Bob Hayes, Elaine Wilkinson and Matt Smith, for their challenge, advice and contribution to policing.

Bob Hayes, Elaine Wilkinson and Matt Smith individually reflected on their time as Authority Members and gave thanks to officers and staff.

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**AUTHORITY MEETING**

**26 May 2021**

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**Minute of the SPA Authority Meeting held on Wednesday, 26 May 2021 via Video-conference**

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Board Members Present:

- Martyn Evans (Chair)
- Robert Black (Items 3-12)
- Paul Edie
- Tom Halpin (Items 3-12)
- Alasdair Hay
- Katharina Kasper
- Grant Macrae
- Fiona McQueen
- Michelle Miller
- Mary Pitcaithly
- Jane Ryder
- Catriona Stewart
- Caroline Stuart

In attendance: Police Scotland

- Chief Constable Iain Livingstone
- Deputy Chief Constable Malcolm Graham
- Deputy Chief Constable Will Kerr
- Deputy Chief Officer David Page
- Assistant Chief Constable John Hawkins (Item 11)
- Assistant Chief Constable Bernie Higgins (Item 12)
- James Gray, Chief Financial Officer
- Andrew Hendry, Chief Digital and Information Officer

Scottish Police Authority (SPA)

- Lynn Brown, Chief Executive Officer
- Chris Brown, Deputy Chief Executive, Resources
- Barry Sillers, Deputy Chief Executive, Strategy and Performance

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Independent Advisory Group on Police Use of Temporary  
Powers Related to the Coronavirus Crisis

John Scott QC

SPA Secretariat

Eleanor Gaw, Governance and External Relations Lead

Karen Vallance, Governance Support Officer

## 1. WELCOME AND STANDING ITEMS

The Chair opened the meeting and welcomed all Authority Members and representatives from the Police Scotland senior leadership team. He confirmed Jane Ryder would chair the meeting if he were disconnected from the video-conference.

The Authority **RESOLVED** to:

- **NOTE** no Member apologies;
- **NOTE** no declarations of interest;
- **NOTE** no other business;
- **AGREE** that, in accordance with paragraph 20 of the SPA Standing Orders, the Board would consider items 13 - 14 in private for the reasons set out on the agenda.

## 2. MINUTES AND ACTIONS FROM PREVIOUS MEETING

The Authority **RESOLVED** to:

- **ADOPT** the minute of the 24 March 2021;
- **NOTE** the action log and that there were no matters arising.
- **NOTE** a decision was made, via correspondence, to confirm membership of Committee and Oversight Groups.
- **NOTE** a decision was made, via correspondence, to amend the Board Minutes from September and November 2020. The amendments were to correct attendees of each meeting.

## 3. SPA CHAIR'S REPORT

The Chair referred to his report, highlighting his intention to appoint a Vice Chair. Mary Pitcaithly proposed Jane Ryder (JRyder), and Caroline Stuart (CStuart) seconded. JRyder thanked Members for the appointment.

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The Chair highlighted that Committee and Oversight Group Chairs' reports had been appended to his report to allow for greater focus on this work. He noted that the reports reflect the depth and breadth of work undertaken by Committee and Oversight Groups. Members considered the reports which provided an update on business progressed since the last Authority meeting through the:

- Policing of Cop26 Oversight Group
- Forensic Services Committee
- Audit and Risk Committee
- Resources Committee
- Complaints and Conduct Committee
- Legal Committee

Members noted the appended letter from John Scott QC (JScott) and the Chair invited his input during the Chief Constable's Report.

The Board **RESOLVED** to:

- **NOTE** the reports;
- **AGREE** the appointment of Jane Ryder as Vice Chair.

#### 4. CHIEF CONSTABLE'S REPORT

Chief Constable Iain Livingstone (CCLivingstone) provided a detailed summary of the paper. In addition to the information provided in the paper, he highlighted the following additional points:

- CCLivingstone welcomed new Members and highlighted the engagement session held in April between Members and Police Scotland which allowed initial introductions and the opportunity to share information.
- CCLivingstone provided operational updates relating to several murder investigations and serious crime investigations.
- CCLivingstone highlighted that the policing approach during the pandemic was underpinned by the consent of the public, a commitment to uphold and enable human rights, to ensure the rule of law and ensure people do the right thing during a national crisis.
- CCLivingstone noted that over the previous 15 months, due to a variety of issues, people have sought to protest over legislative concerns, and Police Scotland have asked people to make their voices heard in a manner that does not put people at risk.

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CCLivingstone stated that people should not be participating in mass gatherings and that message has been repeated by Police Scotland and other public bodies. Where gatherings have occurred, Police Scotland have taken a proportionate approach that protects people and minimises community disruption.

- Regarding the events at George Square, Glasgow, on 15 May, CCLivingstone advised that a dedicated enquiry team had been established to identify those responsible for violence and criminal activity and a public portal had been set up to allow the public to share information.
- CCLivingstone stated that policing will not discriminate between gatherings based solely on the cause behind it. He referred to the contents of the letter from JScott, highlighting the conclusion that the policing response to the events on 13 and 15 May was consistent with human rights considerations. CCLivingstone voiced his advocacy of the principle of the operational independence of policing as a key principle in a democratic society. CCLivingstone stated he welcomed the scrutiny, oversight and accountability of the force as it provides the opportunity for people to see Police Scotland's values and commitments, which he hoped would encourage support and challenge.
- CCLivingstone's personal assessment was that the response to events on 13 and 15 May were proportionate, and he fully supported the actions of the officers who made appropriate operational decisions. CCLivingstone thanked the officers and staff involved in the policing operations and condemned any violence and abuse against officers.
- CCLivingstone noted he was pleased that Scottish Government supported his assault pledge and called on the public and those in leadership roles to condemn attacks against police officers.
- CCLivingstone confirmed 500 armed officers would be equipped with body worn video during COP 26, and public consultation on the wider roll out will soon commence. CCLivingstone reinforced that the approach to policing COP 26 will be underpinned by the principle of policing by consent, by the rule of law and by a commitment to uphold and enable human rights.

In discussion the following matters were raised:

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- Members shared concerns regarding the health, safety and wellbeing of officers and staff, and agreed that any assault or threat to health is unacceptable.
- Members sought further information on what support is given to officers injured and the long term support to those involved in traumatic situations. CCLivingstone highlighted Police Scotland are looking to encourage an organisational culture where officers and staff understand that experiencing violence and assault is not part of the job, and that officers and staff can come forward to seek assistance. Members were informed of the strong internal assistance programme for physical and psychological health, led by DCC Taylor.
- Members were assured that there was no undue political influence during the events on 13 and 15 May 2021.
- Members sought information on whether different tactical options would be available during COP 26, and what learning was taken from previous events. Members were informed tactics, operational tools and resources available for COP 26 will be the same but on a different scale. Members were assured that learning and key principles are taken from all events to inform the approach taken for future events, including communication and engagement.
- Members heard SPA and Police Scotland were co-hosting an engagement event in September to ensure an open, transparent discussion with interest groups on policing and protesting during COP 26. It was noted that discussion outcomes would be fed back to members.
- Members heard from JScott who confirmed events in Glasgow on 13 and 15 May fell within the remit of the Independent Advisory Group (IAG) with regard to the use of extraordinary powers relating to coronavirus. The IAG thought it would be artificial to consider those events only in relation to the use of powers as the group has expertise in human rights. The IAG had noted there had been much media and political discussion with a great detail of misunderstanding, specific to human rights. The group had discussed unhelpful narratives including individuals projecting their own bias onto the policing of activities, comparison of events and potential pressure on the operational independence of police. JScott noted that policing has responsibility for the rule of law but it requires operational independence and operational accountability.



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He added politicians should be able to offer criticism but it should be responsible and well informed.

- Members sought further comment from JScott regarding his criticism of communication during the event on 13 May. JScott advised that the IAG heard a detailed account of concerns that there was a massive police presence based on the large number of police cars and vans in attendance. The IAG were informed the number of vehicles was due to the Covid-19 restrictions on the number of persons per vehicle, which provided an inaccurate impression of the police numbers involved. The IAG advised there would be benefit of having more detailed communications in response to concerns which were being raised.
- Members were informed 129 officers were injured during the week ending 15 May, with 47 of those injuries occurring on 15 May.
- CCLivingstone reflected on events from 13 May, noting that the policing approach was to facilitate safety and ensure other offences are not carried out. CCLivingstone stated that the due process undertaken by immigration officials would continue, but the circumstances were such that Police Scotland had to ensure the safety of all involved which took precedence.
- CCLivingstone advised Members he believed the events of 15 May demonstrated good communication from Police Scotland through a number of channels. CCLivingstone acknowledged social media narratives can grow quickly but there is a role for policing to put forward an authoritative statement which will work best if done in association with community figures. CCLivingstone reflected on the incident in West George Street in 2020 and the number of inaccurate assertions that came from respected media outlets. CCLivingstone confirmed Police Scotland will only communicate once the true facts are known.
- The Chair concluded that the independence of the Chief Constable and every constable is the cornerstone of policing in a democracy. Scottish civil and civic society, as well as the Authority, has to actively promote and guard that independence. The Chair noted that independence does not mean autonomy and Police Scotland is held to account in multiple ways. The checks and balances in the system are more extensive, more rigorous and more willingly entered into than anywhere else in the UK. The Chair reflected on the comments from JScott that operational independence may be

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an important anchor in a period of increasing identity politics and Scotland's unsettled identity politics. The Chair noted Police Scotland champions human rights which are not awarded on the basis of popularity or populism, and not selected or deselected according to the preference of the observer. The Chair noted the view of the IAG that there was no evidence of bias in operational decisions in Glasgow on 13 and 15 May and policing was informed by and consistent with human rights principles.

The Authority **RESOLVED** to:

- **NOTE** the update.
- **AGREE** the following action:

Members to be briefed on outcome of discussions held at roundtable event in September regarding policing and protesting COP 26.

260521-SPABM-01

### 5. SPA CHIEF EXECUTIVE'S REPORT

Members considered the report which detailed activities carried out by the Chief Executive and the Executive Team since the previous Authority Meeting. Lynn Brown (LBrown) highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- Members noted that SPA Oversight of body worn videos, specifically around human rights and privacy, was an area the SPA had been challenged on, and oversight work is reported to the Policing Performance Committee.
- DCC Kerr acknowledged Police Scotland had been behind the curve with body worn video and that engagement with the public is important. He confirmed there would be a detailed programme implementation plan and that, together with the Chair, they had co-convened a meeting with scrutiny conveners where body worn video was discussed. The Chair confirmed he had raised the delay in technological advancement due to lack of investment with Scottish Government. He confirmed the timing of the technology introduction will be a significant focus of the Policing Performance Committee.

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- Members heard that most organisations approached for the Seldom Heard Voices research are third sector. These organisations will put forward proposals for research, exceeding no more than 12 months, which will enable the SPA to improve oversight.
- Members were informed that the Senior Leadership Programme “Your Leadership Matters” is led by DCC Fiona Taylor in collaboration with Ernst and Young, who have a proven track record in the area following previous work the MET. CCLivingstone offered to bring a fuller programme update to a future meeting.

The Authority **RESOLVED** to:

- **NOTE** the report

### 6. SCOTTISH ANNUAL BUSINESS PLAN 2021/22

Members considered the report which sought approval for the SPA Annual Business Plan for 2021/22. LBrown highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- Members welcomed the scope of the plan, the alignment with the corporate plan, the breadth of objectives and the scale of the expectation.
- Members requested further work is undertaken to detail the milestones towards implementation and measures of success prior to reporting to the Audit and Risk Committee.

The Authority **RESOLVED** to:

- **APPROVE** the SPA Annual Business Plan 2021/22.
- **AGREE** the following action:

Further work is undertaken to detail the milestones towards implementation and measures of success prior to reporting to the Audit and Risk Committee.

260521-SPABM-02

### 7. POLICE SCOTLAND SCHEME OF FINANCIAL DELEGATION

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Members considered the paper which sought approval to the proposed amendments to the Police Scotland Scheme of Delegation. James Gray (JGray) highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- Members were informed the Resources Committee recommended the paper for approval.
- JGray committed to an interim review in 12 months to determine how it is working and confirm whether there is requirement for it to be formally reviewed earlier.

The Authority **RESOLVED** to:

- **APPROVE** the proposed amendments to the Police Scotland Scheme of Delegation.

### 8. FLEET CAPITAL HOMOLOGATION

Members considered the paper which provided homologation of a contract award decision which was made immediately following the reallocation of capital funding, and the requirement to award contracts in order to allow for delivery of the vehicles prior to the end of the financial year 2020/21. JGray highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- Members were informed the Resources Committee recommended the paper for approval.
- Members heard more cars have been purchased compared with previous years and by the end of the financial year more than a third of the fleet will be electric.

The Authority **RESOLVED** to:

- **APPROVE** the homologation of a contract award decision which was made immediately following the reallocation of capital funding and the requirement to award contracts in, order to allow for delivery of the vehicles prior to the end of the financial year 2020/21.

### 9. 2020/21 FINANCIAL PERFORMANCE INDICATIVE OUTTURN

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Members considered the paper which provided an update on the provisional 202/21 financial out turn. JGray highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- Members were informed the Resources Committee considered the paper in detail and the final provision would be brought to the next Resources Committee and the Authority thereafter.
- Members were advised a more detailed analysis had taken place since the report was submitted which had identified no concerns.
- Members noted the reporting was in line with the expectation of the Annual Report and Accounts.

The Authority **RESOLVED** to:

- **NOTE** the report

### 10. FORENSIC SERVICES PERFORMANCE REPORT Q4

Members considered the paper which provided the Forensic Services Quarter 4 performance report. Tom Nelson highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- Members were advised a team had been established within Forensic Services to carry out cold case reviews. Full assessments are completed in collaboration with Police Scotland and the Crown Office to identify future opportunities.
- Members were informed that physical distancing within the laboratory space was still a challenge, however staff have adapted how they work to maximise time. An internal group has been set up to look further at working arrangements as Covid-19 restrictions lift.
- Members heard how Forensic Services are delivering against the Forensic Services 2026 strategy, and a paper detailing progress will be presented to the next Forensic Services Committee.
- Members were advised the target for scenes attended within 24hrs of request was 90%, however that had been a challenge during the pandemic due to Covid related restrictions.
- Members were advised the majority of targets related to having cases ready for the Crown Office are met, however, there is a back log within the Crown Office due to Covid-19. Work is ongoing to

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determine whether evidence can be provided remotely. Tom Halpin (THalpin), Forensic Services Committee Chair, noted the Committee take assurance from the ongoing conversations between Forensic Services, Police Scotland and the Crown Office.

The Authority **RESOLVED** to:

- **NOTE** the report

## 11. PRELIMINARY MENTAL HEALTH PATHWAY EVALUATION

Members considered the paper which provided an update following the completion of the preliminary evaluation of the Mental Health Pathway led by NHS24, and undertaken jointly with Police Scotland and supported by the Scottish Ambulance Service. ACC John Hawkins (ACCHawkins) highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- Members praised the report results, noting the positive difference it will make to call centres.
- Members heard there was a commitment across all partners to carry out evaluation of effectiveness and the joint strategic oversight board will progress that work.
- Members were assured there were no geographical constraints experienced by partners however there had been some Covid-19 implications such as physical distancing within control rooms.
- Members heard information on the projects stemmed from the new modernised contact and engagement programme which will look to address technological and data sharing risks, as well as the vulnerable person database.
- Members were informed the Health and Justice collaborative group, which sponsors the work, has been paused during the pandemic, therefore discussions on funding are still ongoing.
- Members were informed Police Scotland retain accountability for the 3% of calls not successfully transferred. A temporary fix has been identified for transferring calls without security issues, however an expected technical upgrade will provide a permanent fix.
- Members agreed Mental Health Pathway was a strategic issue for the Authority due to the impact on the availability of officers.
- Members commended the approach of building a service focused on people and requested further discussions take place with mental

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health groups within wider civil society to encourage groups to become champions.

- The Chair congratulated Police Scotland on the review and encouraged the Chief Executive to ensure Committees are sighted on further progress.

The Authority **RESOLVED** to:

- **NOTE** the report

## 12. 26<sup>th</sup> CONFERENCE OF THE PARTIES (COP 26)

Members considered the paper which provided an update on policing planning for COP 26. DCC Will Kerr highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

Members acknowledged the complexities of planning for the event.

- Members were informed Atalian Servest Security had secured the contract to provide private security at COP 26 and G7. Police Scotland had met with senior directors during a site visit and held positive discussions regarding support, capacity and capability.
- Members heard that during COP 26 there will be a multi-agency coordination centre which include representatives from policing, other emergency services, military, and Scottish and UK Government who have responsibility for delivering the event. While the police role is to coordinate the response, there is a draft MOU which confirms that Police Scotland will take operational command of all assets should there be an emergency situation.
- Members were advised that the HMICS assurance report is expected in June.
- Members were informed of the status of recommendations from the MET assurance review, noting that of the 110 recommendations, 19 have been referred to other agencies. 48 have been discharged and 38 are in progress, however some will not be discharged until event has concluded. 5 recommendations were not accepted and rationale was provided to the MET.
- Members noted JRyder and THaplin were provided full access to the MET assurance review and the Police Scotland response, and conveyed thanks to Police Scotland for facilitating.



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- Members were informed any unanticipated events throughout the UK during the event would impact mutual aid, however all forces have resilience plans in place. Members were informed that any resource brought to Scotland through mutual aid provision acts on the direction and authority of the Chief Constable. Members were assured that mutual aid will be sought if required to maintain business as usual.
- Members were advised that anticipated post event litigation was a matter for UK and Scottish Government. Any financial implications of litigation will be covered within Operation Urram costs and will not impact on the police budget.
- Members heard detail on the resilience within the command structure during the event.
- THalpin confirmed the SPA Oversight Groups Terms of Reference are robust, and noted the round table event planned for September to discuss policing protests. THalpin highlighted Police Scotland have implemented an advisory group to provide a broader view of planning implications, and confirmed HMICS are not undertaking the same review as the MET but are instead looking at the MET review methodology and business as usual.
- Members were informed ACCHawkins was leading coordination on business as usual and work continued with UK and Scottish Government to ensure appropriate planning for reserved matters and devolved matters.
- CCLivingstone committed an openness to sharing sensitive matters in a controlled manner with the Authority to ensure robustness and accountability.
- The Chair thanked colleagues for the mutual trust shown between SPA and Police Scotland and confirmed the Chief Executive is engaged in discussions regarding post event litigation which remains a significant issue of risk.

The Authority **RESOLVED** to:

- **NOTE** the report

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**AUTHORITY MEETING**

**30 June 2021**

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**Minute of the SPA Authority Meeting held on Wednesday, 30 June 2021 via Video-conference**

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Board Members Present:

- Martyn Evans (Chair)
- Jane Ryder (Vice Chair)
- Robert Black
- Paul Edie
- Tom Halpin
- Alasdair Hay
- Katharina Kasper
- Grant Macrae
- Fiona McQueen
- Michelle Miller
- Mary Pitcaithly
- Catriona Stewart
- Caroline Stuart

In attendance: Police Scotland

- Chief Constable Iain Livingstone
- Deputy Chief Constable Fiona Taylor
- Deputy Chief Constable Will Kerr
- Deputy Chief Officer David Page
- Assistant Chief Constable Gary Ritchie (Item 11)
- Assistant Chief Constable Bernie Higgins (Item 8)
- Assistant Chief Constable Alan Speirs (Item 9)
- James Gray, Chief Financial Officer
- Andrew Hendry, Chief Digital and Information Officer
- Jude Helliker, Director of People and Development (Item 10)
- Tom McMahon, Director of Strategy and Analysis (Item 6)
- James Bertram, Health and Safety Manager (Item 10)

Scottish Police Authority (SPA)

- Lynn Brown, Chief Executive Officer

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Chris Brown, Deputy Chief Executive, Resources  
Barry Sillers, Deputy Chief Executive, Strategy and  
Performance  
John McNellis, Head of Finance, Audit and Risk (Item 7)

Independent Advisory Group on Police Use of Temporary  
Powers Related to the Coronavirus Crisis

John Scott QC, IAG Chair (Item 9)  
Simon Anderson, Consultant (Item 9)  
Jen Waterton, Consultant (Item 9)

SPA Secretariat

Eleanor Gaw, Governance and External Relations Lead  
Karen Vallance, Governance Support Officer

## 1. WELCOME AND STANDING ITEMS

The Chair opened the meeting and welcomed all Authority Members and representatives from the Police Scotland senior leadership team. He confirmed Jane Ryder would chair the meeting if he were disconnected from the video-conference.

The Authority **RESOLVED** to:

- **NOTE** no Member apologies;
- **NOTE** no declarations of interest;
- **NOTE** no other business;
- **AGREE** that, in accordance with paragraph 20 of the SPA Standing Orders, the Board would consider items 12 - 15 in private for the reasons set out on the agenda.

## 2. MINUTES AND ACTIONS FROM PREVIOUS MEETING

The Authority **RESOLVED** to:

- **ADOPT** the minute of the 26 May 2021;
- **NOTE** the action log and that there were no matters arising.
- **NOTE** no decisions were made since the last Authority meeting.

### 3. SPA CHAIR'S REPORT

The Chair referred to his report and congratulated DCC Fiona Taylor and Chief Superintendent Roddy Newbigging who had been awarded the Queen's Police Service Medal, and Professor Fiona McQueen who had been awarded a CBE. Members and Chief Constable Iain Livingstone (CCLivingstone) also offered congratulations to those honoured.

The Chair referred to the MOU, signed with CCLivingstone, which sets out the process which Police Scotland and SPA will follow in considering emerging policy and practice, with a focus on technology. The Chair stated that the improvement of technology in policing is a critical objective of his and this needs to be done in a way which is highly considerate of all the implications of technology, with a process that is open and transparent but done at pace. The Chair highlighted that if outcomes are right and achieved through due process, the Authority and the public will have confidence in the role of technology in policing. The Chair thanked CCLivingstone and Senior Officers for their support and committed to reviewing the MOU in six months' time.

CCLivingstone agreed it was a welcome development, citing the need for effective consultation and engagement as well as the support and challenge from SPA. CCLivingstone added more people will support the service if they properly understand policing and the challenges it faces.

Members offered thanks to the SPA Chief Executive for running a successful induction programme to support newly joined Members

The Chair highlighted that Committee and Oversight Group Chairs' reports had been appended to his report to highlight how much work is undertaken through the Committees and Oversight Groups. Members considered the reports which provided an update on business progressed since the last Authority meeting through the:

- People Committee
- Policing of COP 26 Oversight Group
- Legal Committee
- Policing Performance Committee
- CAM Oversight Group
- Resources Committee

The Board **RESOLVED** to:

- **NOTE** the reports.

#### 4. CHIEF CONSTABLE'S REPORT

CCLivingstone provided a detailed summary of the paper. In addition to the information provided in the paper, he highlighted the following additional points:

- Operational updates were provided relating to several murder investigations and serious crime investigations.
- CCLivingstone confirmed two men had been arrested with regard to the injury of a police officer in Kilwinning and reiterated his condemnation of assaults against police officers and staff.
- CCLivingstone highlighted the benefits of a single national Police Service of Scotland when engaging with international partners and key agencies, referencing convictions for terrorism offences in Scotland following international cooperation; and the provision of critical evidence and information which led to significant convictions in Sweden.
- CCLivingstone confirmed a key element of planning for COP 26 has focussed on ensuring communities of Scotland will continue to receive a high standard of policing during the event. In reference to mutual aid, CCLivingstone noted the reciprocal benefits of close cooperation through participating in broader UK policing arrangements.

In discussion the following matters were raised:

- Members were assured there was a long term commitment to improving equality and diversity within the organisation. Members heard the positive action team were working to increase gender mix of recruits and were working with LGBT+ and minority communities to encourage recruitment. CCLivingstone had already reported that in the recent intake of 180 probationers, there was a 50/50 gender split of officers from diverse backgrounds and ethnicities. Police Scotland have also collaborated with Black Professional Scotland to increase the profile of Police Scotland in communities where policing is not necessarily seen as a potential profession. The mix of police training staff now includes black and ethnic minority officers and Members were assured that work continues to manage inclusion, diversity and retention in these key areas.
- Members were provided information on the background of 200 armed forces reservists, noting it was not focussed on military

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police experience but the capability that people have through either previous regular service or long term involvement.

- Members heard of the three different tiers of engagement with COSLA and Local Authority representatives. The first is structurally improving relationships with SOLACE and COSLA representatives through the Local Policing Programme. The second tier focusses on communication with local elected representatives, evidenced during our response to COVID-19, and providing bespoke briefings for Local Councillors on areas such as COP 26 and public order tactics. The third tier involved regular engagement with party leaders and justice spokespersons.
- CCLivingstone advised Members that the creation of Police Scotland had enhanced the ability to interact with forces and partners across the world. Members were informed that Police Scotland's International Policing Unit was the model used when the UK looked to develop structures to address challenges from Brexit and the loss of some legal measures. Members noted CCLivingstone sits on a UK wide group in respect of international policing coordination, and DCKerr has been nominated to be the UK representative on an Interpol management board.
- Members welcomed the continued focus on etizalam in respect of incidents involving drug use.
- Members were assured that Police Scotland are looking to maintain relationships with Europol on a third party basis, and are working hard to maintain bilateral relationships with other European partners.
- Members were assured that work on equality and diversity will look at every strand, including hidden disabilities.
- Members heard that Police Scotland continue to be committed to encouraging youth volunteers. Every local authority has youth volunteers who are visible at public events albeit, this has been impacted due to Covid-19.
- Members were informed that the number of Special Constables had decreased as the service had acted as a successful pathway into regular service. Funding had also been an issue however Police Scotland now look to strategically invest in Special Constables. Work continues to ensure all officers are active and training is kept up to date.

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- The Chair noted further discussion on the flow of cross border intelligence and cooperation regarding serious and organised crime and cybercrime was required, in order to provide public visibility and assurance.

The Authority **RESOLVED** to:

- **NOTE** the update.

### 5. SPA CHIEF EXECUTIVE'S REPORT

Members considered the report which detailed activities carried out by the Chief Executive and the Executive Team since the previous Authority Meeting. Lynn Brown (LBrown) highlighted a number of key points as detailed in the paper and noted that a number of reports had recently been published by HMICS and these would be discussed through the appropriate Committees.

The Authority **RESOLVED** to:

- **NOTE** the report

### 6. POLICING PERFORMANCE

Members considered the Police Scotland Quarter 4 Performance Report (Item 6.1); Police Scotland Chief Constable's 2020/21 Year End Performance Assessment (Item 6.2); and the Policing Performance Framework Update which was presented for approval.

In discussion the following matters were raised:

- CCLivingstone stated the challenges of the last year had been extraordinary and will have had an impact on policing performance and demand, and the full effect won't be seen for months or years to come. The performance of the single service through the Covid-19 period has underlined that the creation and implementation of Police Scotland was the right policy change.
- The Policing Performance Committee Chair commented that the ability to continue business as usual work during the pandemic was hugely commendable.
- Members noted an increase in different types of crime evolving during the pandemic which are not anticipated to decrease once the pandemic ends, and questioned how this high level will be



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managed. Members were informed it was not yet known if the shift in types of crimes was permanent but work continues to identify what the demand currently is, in terms of crime and non-crime types, and further benchmarking work against other forces was required. The Strategic Workforce Plan and the Cyber Strategy would also provide detail to better align capacity. Members heard work continues with partner agencies, and the Chair noted the HMICS report on Demand will go to the Policing Performance Committee.

- Members questioned whether there had been any discussion on reasonable limits of expectation regarding performance. CCLivingstone responded that the Annual Police Plan lays out how Police Scotland continue to look to modernise and what is expected from partners in areas such as mental health. CCLivingstone stated the plan should be ambitious and plan out what can be provided to assist appropriate resourcing.
- The Policing Performance Committee Chair confirmed the Committee recommended the Performance Framework for approval, noting it was a good piece of work which has evolved over time. The biggest challenge recognised was identifying effective data.
- Members were informed work continues to understand demand in relation to cyber-crime to inform recruitment, investment and capabilities in the area.
- Members discussed levels of online fraud and were advised Police Scotland are working with financial institutions to ascertain what more can be done in both prevention and reporting. The Chair noted reporting around cyber enabled fraud would be discussed further at Committee and Authority level.
- Members were assured there was rigorous methodology applied to the public confidence survey and statistical changes during 2020 were due to a number of reasons. These included Police Scotland being a proxy institution for various areas, plus survey release dates coinciding with changes to restrictions, specifically over the Christmas period.
- Members were informed that areas of the justice system had been paused which would impact demand management. Discussions continue with criminal justice partners, Scottish Government and public sector bodies on what support can be given. Some changes

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to ways of working introduced during the pandemic may remain such as providing remote evidence.

- Members were informed new software had been installed which provided better analysis of qualitative responses from the Your Police Matters Survey to identify substantive issues. A commitment was given to include qualitative analysis within quarterly performance reporting.
- Members were assured work would be done to cross match absence management reporting with the equality and diversity profile.
- Members were informed Police Scotland continue to work with the criminal justice system to ensure assaults against officers are pursued. Work continues to encourage incident reporting which has resulted in an increase in officers reporting their experiences, showing a change to organisational culture. Improved analytical capability allows better understanding at divisional level of any themes. Officer safety training has been enhanced with additional emergency lifesaving training incorporated.
- Members questioned the use of a single measure of confidence and were informed confidence levels of those who have come into contact with Police Scotland remain high, but further work was required to understand different factors.
- Members were informed Police Scotland are working closely with the Crown Office to understand the impact of officer assaults aggravated by discriminatory behaviour.
- The Chair acknowledged the amount of information brought to the Authority, noting it was only the high level governance detail with more operational level detail discussed and communicated throughout the organisation. The Chair noted the Authority take great assurance from the information presented.

The Authority **RESOLVED** to:

- **NOTE** the reports;
- **APPROVE** the Policing Performance Framework.

## 7. SPA FINANCIAL REGULATIONS

Members considered the paper which sought approval for the updated SPA Financial Regulations. LBrown highlighted a number of key points as detailed within the paper.

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In discussion the following matters were raised:

- Members were informed the Resources Committee recommended the paper for approval.
- Members were informed the updated regulations would be published on the SPA intranet and incorporated into the training programme for new members of staff with financial responsibilities. Consideration would be given to providing refresher training for current staff.

The Authority **RESOLVED** to:

- **APPROVE** the proposed amendments to the SPA Financial Regulations.

### 8. 26<sup>th</sup> CONFERENCE OF THE PARTIES (COP 26)

Members considered the paper which provided an update on policing planning for COP 26. DCC Will Kerr (DCC Kerr) highlighted a number of key points as detailed within the paper, and informed Members the Independent Advisory Group had provided advice on the communication strategy recently launched.

In discussion the following matters were raised:

- ACC Bernie Higgins (ACCHiggins) emphasised the importance of taking good learning and understanding lessons learned from the G7 event.
- Members were informed that CCLivingstone and ACCHiggins had met the Cabinet Secretary for Justice and the Secretary of State for Scotland to discuss policing plans and provide assurance.
- Members heard from the SPA Policing of COP 26 Oversight Group Chair who confirmed the group take assurance from the MET review and HMICS report. As a current priority, the group will focus on the timeframe and delivery of the exercising programme to ensure learning can be applied timeously. Members heard extensive planning is reflected in reporting to the group.
- Members were informed, from an operational perspective, logistics are the biggest risk with both strategic and tactical consequences, however there are currently no issues anticipated.
- The Chair reiterated the SPA Policing of COP 26 Oversight Group has taken assurance from the MET and HMICS reviews and the

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group have a high level of confidence that Police Scotland can police a safe and secure event.

The Authority **RESOLVED** to:

- **NOTE** the report

### 9. POLICING RESPONSE TO COVID-19

#### 9a. OPERATION TALLA

CCLivingstone reflected on the policing response to Covid-19 and highlighted the following points:

- CCLivingstone reminded Members there was no regulatory framework when places began to close in March 2020, and it took time for Scottish Government to recognise how police could assist. Discussions with public health officials at that time concluded the key intervention was physical distancing and the only way to achieve that was voluntary compliance with support from Police Scotland. The 4Es approach allowed Police Scotland to underline its response based on protection and prevention.
- CCLivingstone highlighted the three criteria the service should be assessed against: supporting the public health response to reduce virus related deaths; maintaining public confidence; and protecting the welfare and safety of officers and staff.
- CCLivingstone commended DCC Malcolm Graham and ACC Alan Speirs for their work and leadership.
- The CAM response had changed to maintain public protection work and to reach out to those who are vulnerable.
- CCLivingstone stated the logistical effort was outstanding, noting the whole of the service was mobilised which required robust internal governance in addition to normal business as usual structures.
- Police Scotland provide regular daily bulletins to inform the public on issues and challenges, and have written directly to representatives in government to highlight challenges.
- SPA continuing to hold and live stream full Authority and Committee meetings was a significant virtue of governance arrangements for Police Scotland.
- CCLivingstone noted officers undertook duties with compassion, discretion and good sense. There were 140,000 interactions with

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members of the public but only a small number required enforcement action, and public confidence has been maintained.

- CCLivingstone noted his appreciation of the support, commitment and joint working from SPA, the Independent Advisory Group (IAG) and key agencies such as HMICS and PIRC.
- CCLivingstone confirmed Police Scotland will continue to review the response to the pandemic to ensure lessons are learned and to retain benefits identified.

The Chair agreed there will be lessons learned which the Authority will return to, but one clear lesson already identified was that the response was helped by Scotland having a single police service.

### **9b. INDEPENDENT ADVISORY GROUP ON POLICE USE OF TEMPORARY POWERS RELATED TO THE CORONAVIRUS CRISIS**

Members considered the letter from John Scott QC (JScott) which provided a summary of the ongoing work of the IAG and an outline of the next report to the Authority meeting in August. JScott highlighted a number of key points as detailed within the paper.

The Authority **RESOLVED** to:

- **NOTE** the letter

### **9c. INDEPENDENT ADVISORY GROUP ON POLICE USE OF TEMPORARY POWERS RELATED TO THE CORONAVIRUS CRISIS**

Members considered the report which provided an overview of the independent review of the IAG. DCKerr highlighted a number of key points as detailed within the paper and thanked members of the IAG for the work undertaken.

The Chair welcomed the authors of the independent review report, Simon Anderson (SAnderson) and Jen Waterton (JWaterton).

SAnderson thanked interviewees for their input and those who facilitated the process. He noted it was light touch review based on an analysis of documentation and interviews with those involved. The report draws a distinction between the notion of the IAG reassuring the public, and providing a public assurance that the pandemic was being policed proportionately and legitimately, which the IAG did very effectively. The report indicated the IAG was operated in a collaborative, constructive, responsive and transparent way, and contributed to an emerging culture and consensus on attention to human rights SAnderson summarised

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lessons learned, including: group participants maintaining independence while working collaboratively; and anticipating stress testing and difference of opinion.

JWaterton added the report is useful for Police Scotland telling the story of what has happened. She indicated further lessons learned such as Terms of Reference wording, and inclusion and contribution of group members. JWaterson noted she was impressed with the range of knowledge drawn from group members.

JScott reflected on the work of the group, noting it was instructive that the instinct of policing was to embrace transparency and to have early discussions how to intensify scrutiny with a focus on human rights. JScott stressed that all members of the group take their position of independence very seriously. He stated an important part of the group was to support the production of data, noting the OpTICAL group has been a good opportunity to discuss data before it is brought to the IAG. JScott highlighted the IAG agree that policing has struck the balance between supporting those who feel there is too much enforcement and those who feel there is not enough. He emphasised the role of public support and that adherence to guidance has been high. JScott noted lessons learned go beyond policing in relation to communications and government timing on decisions and engagement. JScott thanked SPA for the secretariat support provided to the group.

LBrown stated that the contribution of the IAG is unprecedented and the SPA has been able to give a strong public platform to the views of IAG and areas of significant public interest. The SPA recognise that the IAG is not insular which the range of attendees evidences. LBrown emphasised that data provided to the IAG is unique to Scottish policing and the sharing of data was ground-breaking and should be commended. She confirmed the IAG will take the report findings on board for any future independent advisory groups. LBrown thanked SPA staff for the support provided to the group.

In discussion the following matters were raised:

- Catriona Stewart reflected on her time as a group member, but noted the review made no reference to the work done regarding collating experience of autistic people.



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- Members were informed an update would be provided to the August Authority Meeting on an exit strategy to move Operation Talla into routine policing, with further information on lessons learned.
- Members heard many IAG members are involved in other networks where lessons learned would be communicated.
- Members were advised future independent advisory groups would take into consideration lessons learned on member selection and whether they would be a representative of their own organisation, or involved to provide specialist expertise.
- Members were advised there was not a lot in the public portal that was unknown, as people tended to share their views rather than experiences, however it allowed the IAG to carry out deep dives.
- Members agreed the IAG helped ensure the Authority could scrutinise effectively during the challenging period.
- The Chair noted data and analysis collected was unique and Police Scotland providing public information daily was unusual but welcomed. The Chair noted allowing the IAG freedom to publically report was a risk that SPA and Police Scotland were happy to carry. The Chair stated he felt, from what is known, the IAG provided best practice within the UK. The Chair noted the willingness of police officers to explain what they were doing and take feedback was enormously important for a wide range of groups.

The Authority **RESOLVED** to:

- **NOTE** the report

### 10. HEALTH, SAFETY AND WELLBEING

#### 10a. HEALTH AND SAFETY ANNUAL REPORT

Members considered the report which provided a strategic overview in relation to health and safety within the SPA and Police Scotland. James Bertram highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- Mary Pitcaithly (MPitcaithly), People Committee Chair, highlighted the report had improved over time and the Committee will look to focus on receiving improved analysis of data to help identify trends and themes.



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- Members paid tribute to the health, safety and wellbeing team for work undertaken over the last year.
- Members were informed work continues to improve the accident reporting module and some small internal packages had been developed to process figures.
- Members were informed a number of training courses were undertaken on an e-learning platform including fire safety. Training on areas such as manual handling have to be physical and had been paused due to Covid-19 but were to resume.
- Members were advised the SCoPE replacement model is linked to the DDICT refresh work but some investigative work is currently being undertaken.

The Authority **RESOLVED** to:

- **NOTE** the report

**10b WELLBEING ANNUAL REPORT**

Members considered the report which provided a review of the 2020/21 wellbeing performance and activities, continued response to Covid-19 and proposals for next steps to continue to mainstream the wellbeing agenda. Jude Helliker (JHelliker) highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- MPitcaithly highlighted the People Committee will focus on whether any organisational factors impact wellbeing and how that is being managed, and whether the organisational culture has changed in relation to mental health. The Committee will also be looking for improved analysis to identify trends and themes.
- Members were informed the reduction in recruitment medicals was a skewed figure due to the significant increase of probationer intakes in 2020, in response to COP 26. Members heard recruitment medicals were initially halted due to Covid-19, however Police Scotland and Optima had worked collaboratively to ensure new ways of working and as such all probationer medicals had been carried out.
- Members were advised the staff survey had closed and results from Durham University Business School will be cascaded to senior management imminently and reported to the People Committee.

The Authority **RESOLVED** to:

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- **NOTE** the report

### **10c. PEOPLE MANAGEMENT INFORMATION DASHBOARD ANNUAL REPORT**

Members considered the report which provided an update on Police Scotland workforce as at the end of the financial year, 2020/21. JHelliker highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- MPitcaithly confirmed the People Committee found the report helpful in detailing diversity and gender equality. The Committee felt improved analysis was required as well as detail on how data can be linked with the strategic workforce plan.
- Members were assured movement is tracked daily and divisional commanders are provided dynamic dashboards. Detailed analysis on establishment levels and operational base levels are regularly reported through internal governance and the People Committee.
- Members were assured Police Scotland understand the importance of utilising mutual aid and minimising local policing extractions during COP 26. Members were informed this area would be reported to the SPA Policing of COP 26 Oversight Group.
- The Chair noted the report was clear to read, and thanked JHelliker and her team. The Chair confirmed the report would continue to be presented annually.

The Authority **RESOLVED** to:

- **NOTE** the report

### **11. POLICE SCOTLAND INTERNATIONAL DEVELOPMENT STRATEGY UNIT**

Members considered the paper which informed the Authority on the revised International Development Strategy. ACC Gary Ritchie (ACCRitchie) highlighted a number of key points as detailed within the paper. In addition to the paper, DCKerr highlighted the following points:

- The strategy indicated a heightened sense of ambition from Police Scotland and was structured to reflect a growing appetite from across the world on the policing model in Scotland.

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- Conscious of reputational issues, there were multiple tiers of governance for non-operational overseas deployment plus a deployment business case for each request.
- Police Scotland has a longstanding relationship with the Police Research Executive Forum, and has recently been involved in escalation training which has been rolled out in several police institutions in America including the NYPD.

In discussion the following matters were raised:

- Members were assured work was based on cost recovery as Police Scotland cannot, by law, charge for this work.
- Members were informed the unit was led by a Superintendent with an additional six staff. Courses are carried out by academy staff with a small number of hours spent supporting partners. When broader programmes begin, Police Scotland will approach academic partners for help and will look to seek accreditation.
- Members were advised 200 police officers are willing to be deployed but only around 12 are deployed at any time.
- Members discussed the moral obligation to share good practice, citing the work of the Violence Reduction Unit as an example. DCC Kerr agreed Police Scotland viewed the strategy as an international corporate responsibility. DCC Kerr emphasised there was a significant international appetite to hear from Police Scotland which was mutually beneficial to enable learning.
- Members were informed there would be an evaluated framework to measure impact. While quantifying work would be difficult, the work can be qualified to put into context. Members heard positive feedback had been received but Police Scotland would look to receive independent evaluation.
- Members were advised the Overseas Security and Justice Assessment takes into account where a country stands in respect of human rights so a decision can be taken prior to any deployment. Therefore there would be times when Police Scotland would not engage with a country based on human rights.
- Members heard Police Scotland have a long standing relationship with the FBI in terms of training and operational delivery. Police Scotland would be hosting the FBI National Executive Training at Tulliallan in September 2021 which would be the first time it been held out with the USA in over a decade.

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- CCLivingstone stated the development of the organisation is indicative that Police Scotland are outward looking and making a contribution. CCLivingstone commended the work undertaken by the International Development Unit.

The Authority **RESOLVED** to:

- **NOTE** the report

*END.*

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**AUTHORITY MEETING**

**25 August 2021**

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**Minute of the SPA Authority Meeting held on Wednesday, 25  
August 2021 via Video-conference**

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Board Members Present:

- Martyn Evans (Chair)
- Jane Ryder (Vice Chair)
- Robert Black
- Paul Edie
- Tom Halpin
- Alasdair Hay
- Katharina Kasper
- Grant Macrae
- Fiona McQueen
- Michelle Miller
- Mary Pitcaithly
- Catriona Stewart
- Caroline Stuart

In attendance: Police Scotland

- Chief Constable Iain Livingstone
- Deputy Chief Constable Fiona Taylor
- Deputy Chief Constable Will Kerr
- Deputy Chief Officer David Page
- Assistant Chief Constable Bernie Higgins
- James Gray, Chief Financial Officer
- Andrew Hendry, Chief Digital and Information Officer

Scottish Police Authority (SPA)

- Lynn Brown, Chief Executive Officer
- Chris Brown, Deputy Chief Executive, Resources
- Barry Sillers, Deputy Chief Executive, Strategy and Performance
- Tom Nelson, Director of Forensic Services

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Fiona Douglas, Head of Strategy and Change, SPA  
Forensic Services

Independent Advisory Group on Police Use of Temporary  
Powers Related to the Coronavirus Crisis

John Scott QC, IAG Chair (Item 9)

HMICS

Gill Imery, HM Chief Inspector of Constabulary in  
Scotland

SPA Secretariat

Eleanor Gaw, Governance and External Relations Lead  
Deborah Christie, Governance Support Officer

## 1. WELCOME AND STANDING ITEMS

The Chair opened the meeting and welcomed all Authority Members and representatives from the Police Scotland senior leadership team. He confirmed Jane Ryder would chair the meeting if he were disconnected from the video-conference.

The Authority **RESOLVED** to:

- **NOTE** no Member apologies;
- **NOTE** that in respect of agenda item 9, HMICS Annual Report, Paul Edie declared he had currently holds the position of the Chair of the Care Inspectorate with whom HMICS carried out joint inspections. There were no other declarations of interest;
- **NOTE** no other business;
- **AGREE** that, in accordance with paragraph 20 of the SPA Standing Orders, the Board would consider items 13- 17 in private for the reasons set out on the agenda.

## 2. MINUTES AND ACTIONS FROM PREVIOUS MEETING

The Authority **RESOLVED** to:

- **ADOPT** the minute of the 30 June 2021;
- **NOTE** the action log and that there were no matters arising.
- **NOTE** the following 2 decisions that had been made by correspondence since the last Authority meeting;

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- The Authority approved the appointment of the Director of Forensic Services following a recruitment process. The Chair congratulated Fiona Douglas who is currently Head of Strategic Change in Forensic Services and has been appointed to the Director post and will take up the post in October.
- The second decision was in relation to the award of a Body Worn Video contract. The Chair clarified that this decision supersedes the contractual award approved by the Authority at the meeting 30 June. It was explained that, following a further review of the tender requirements, Police Scotland determined that an alternative supplier was best placed to meet the specifications and was subsequently awarded the contract. Members noted the Chair of Resources Committee had been fully sighted on the circumstances and the revised contract award to ensure it is in place for COP26.

### **3. SPA CHAIR'S REPORT**

The Chair referred to his report and highlighted that this was to be Tom Nelson's last Authority meeting as Director of Forensic Services. The Chair advised that Tom will retire at the end of September after a career spanning more than 40-years and intimated that the Board would hear some more from Tom later in the meeting.

The Chair highlighted the Police Scotland and Public Health Scotland Collaborative Framework Event which he had recently attended and restated his support for this strategic partnership approach which focuses on the opportunities that working together will present to improve outcomes for citizens within a public health approach to policing.

Members noted the Chair was scheduled to attend the COSLA Leaders meeting later in the month and this would be a valuable opportunity for him and the Chief Constable to further his commitment to strengthening engagement with local government which he confirmed was, in his view, critical to policing.

In response to a question regarding how the collaborative activity between Public Health Scotland and Police Scotland would be taken forward, DCC Will Kerr explained that the recent event had provided the opportunity to agree the strategic intent and develop the collaborative



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framework. DCC Will Kerr agreed to share details of the Framework with Members.

Members welcomed the assurance that an area of focus would be to find ways in which Police Scotland could work collaboratively with strategic partners to tackle a number of causative issues further up the chain.

The Chair highlighted that Committee and Oversight Group Chairs' reports were appended to his report and these provided an update on business progressed since the last Authority meeting through the:

- Policing of COP26 Oversight Group
- Audit, Risk and Assurance Committee
- Forensic Services Committee
- Resources Committee

The Complaints and Conduct Committee met on the 19 August and a report will be presented to the Authority at its September meeting. Committee Chair Alastair Hay provided a verbal overview of the business that was conducted at the recent meeting.

It was noted that both the People and Policing Performance Committees would meet w/c 30<sup>th</sup> August and Michelle Miller, Chair of the Policing Performance Committee highlighted that, recognising the inclusion of comments in the Chief Constable report on call handling, this would be one specific area of focus for members of that committee.

The Board **RESOLVED** to:

- **NOTE** the reports and the verbal updates.

#### 4. CHIEF CONSTABLE'S REPORT

Chief Constable Iain Livingstone provided a detailed summary of the paper. In addition to the information provided in the paper, he highlighted the following additional points:

- Recognising the significant value that the work of the IAG had added to the policing of the pandemic, the Chief Constable thanked members of the group for their important work and proposed that it is now time to stand down the group as its work is concluding. The valuable data work will continue to be explored by various interested parties. Naturally should circumstances change, the group could be reconvened.

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- In respect of call handling, the Chief Constable provided additional context for the increased demand being experienced and highlighted that during the first quarter of 2021-22, the total number of calls received by C3 was more than 666,000, an overall increase of over 2,000 calls on the year before and significantly, a major shift had been seen towards emergency calls, with more than 30,000 additional 999 calls received compared to the same three month period last year.
- Members heard that Police Scotland continue to prioritise 999 emergency calls and, despite the significant increase in such contacts, on average continue to answer emergency calls within 10 seconds. The Chief Constable explained that people calling the non-emergency 101 number are waiting longer to have their calls answered, with an average answer time of a little over five minutes in June and in individual cases there have been considerably longer call answer times for which, the Chief Constable expressed regret.
- The Chief Constable provided an explanation of some of the factors which are contributing to longer average answer times for non-emergency calls to 101, in addition to highlighting the significant surge in 999 calls, to which the organisation continues to give priority. The Contact Assessment Model which is operating across all of Scotland and focuses on an enhanced assessment of threat, risk and harm means call handlers are spending more time on each call received as C3 officers and staff ensure the person calling gets the right response for their particular circumstances and needs. The Chief Constable explained that there has, during the pandemic, also been a requirement to collect additional information regarding potential COVID circumstances, the need for appropriate PPE or other measures, before confirming whether officers attend at an address.
- The Chief Constable re-stated his previous comments and underlined the need for investment in technology and highlighted that 2 key communications projects, which will help modernise how the public can contact the police are described in the change activity update which will be considered later in the meeting. It was explained that, at present the capability to receive and respond to 101 and 999 calls remotely does not exist. Together with physical distancing requirements and absences, this has contributed to putting pressure on the overall capacity within C3, with only 81% of

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normal staff levels being able to be accommodated within Police Scotland buildings. Members heard that mitigations have been put in place, including setting up additional temporary sites to increase the space available, however training additional personnel for C3 is demanding and challenging, again, because of the impact of physical distancing on the training programme.

- The Chief Constable stated that the way Police Scotland respond to contact from members of the public is vital, to ensure people get the help they need and deserve, and to maintain public confidence in policing. It was explained that, at times, callers do disconnect before their 101 calls are answered and that this can be for a range of reasons; for example that police assistance is no longer required; or, as per the advice of the automated messages, they divert to an online report through the website, or to access online information in respect of current COVID restrictions or weather warnings.
- The Chief Constable stated he was personally concerned when people wait longer to be connected and that he regretted the very long waiting times that have been experienced by callers in some cases. Members heard that the physical distancing requirements in police buildings have now been reduced from 2m to 1m, with a view to removing physical distancing entirely by late September and this will further help to improve capacity. The Chief Constable explained that members of the public, officers and staff will continue to be encouraged to use 101 appropriately.
- Finally, the Chief Constable took the opportunity to thank the officers and staff of C3 who have continued to discharge these vital duties throughout the pandemic stating that they are a vital part of policing in Scotland and he knows how dedicated they are to public service.

In discussion the following matters were raised:

- Recognising that Police Scotland will continue to prioritise 999 calls, Paul Edie invited the Chief Constable to comment on the levels of abandoned 101 calls and sought an assurance that 101 calls were important to Police Scotland. The Chief Constable assured Members 101 calls were treated very seriously by Police Scotland and invited DCC Will Kerr to provide some additional information in this regard. DCC Kerr explained that the use of the terminology around

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abandoned calls can suggest that someone has given up, that is not always the case. Their call may have been for information available elsewhere, or they may have decided to report something online for example. DCC Kerr explained that the organisation understood there was a need to better understand what people need and why people decide to hang up or opt for an alternative route to make contact with Police Scotland.

- DCC Kerr recognised the Police Scotland technology is not currently as effective as he would like it to be and this was part of the transformation and development as referenced by the Chief Constable earlier. Investment will allow a better and more professional overall IT architecture around the command and control network which will lead to significant improvements on what call data is available and how this can be used to inform decision making.
- DCC Kerr explained that while contingency plans and robust demand management have been put in place to maintain continuity of service, there were a number of other factors that Police Scotland couldn't influence. These included demand diverted from other agencies, increase in call volumes, and social distancing requirements in the workplace, which then impacted on how the C3 business areas could operate. He also referenced that the service had not been able to invest to the extent it would have wished in IT infrastructure which limited options as C3 staff could not work remotely. DCC Kerr assured Members there was a significant amount of thought and planning put in to the contingency management in what was a very dynamic set of circumstances.
- In response to a question regarding the Test of Change for the carriage of Naloxone, the Chief Constable stated that, while he had not yet taken any final decisions and this would not be done until the independent academic evaluation concluded, his early thinking is that any wider roll out of Naloxone would remain on a voluntary basis for officers and staff.
- In response to a question regarding the c. 30% positive detection of drink or drug driving offences, DCC Malcolm Graham highlighted that while this was a high figure, it in some way verified the targeted approach taken by officers. Members heard that similar campaigns would continue to tackle this growing area of crime and

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were assured by the DCC that Police Scotland would continue to prioritise road safety.

- Following a question regarding what plans, if any, were in place to encourage staff to self-test for Covid-19, DCC Graham explained that the organisation continued to focus on the transition to a revised BAU operating model. While lateral flow tests were readily available it remains a matter of personal choice for individuals.
- An assurance was sought that Police Scotland had the appropriate skills available within the organisation to investigate the increased demand from fraud and cyber-crime and what steps had been taken by Police Scotland to recruit appropriate levels of suitably skilled individuals to investigate and provide a resilient response to this type of crime. Recognising the significant increase in cyber-crime, DCC Graham explained that the Cyber Strategy was ambitious in nature and would seek to address the rise in fraud and cyber-crime and the emphasis of the approach would be on prevention and protection.
- DCC Graham reported that the Police Scotland response to high end complex financial crime was being led by the Economic Crime and Financial Investigation Unit, a national service able to respond to significant events and proactively target these crimes. It was explained that this area of work involved close links and partnership with nationwide strategic partners as well as links with global networks. Members welcomed the assurance that DCC Graham believed Police Scotland is very well placed to respond to this area of crime going forward.
- Noting recent UK wide issues with some vehicle road policing fleet, an assurance was sought that steps had been taken to ensure there would be no impacts on availability of fleet for Police Scotland. DCC Graham confirmed that there had been a swift response to this issue highlighted by BMW, and there was no impact in Police Scotland's ability to respond to roads policing incidents or routine duties.
- Tom Halpin commended the work of the Police Scotland International Academy and thanked Supt Helen Harrison, Gordon Thomson and the team in that unit for their excellent work.
- Recognising that some aspects remained live, clarity was sought on when the Authority could expect to consider a lessons learned report in respect of the Rangers Football Club investigations. The

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Chief Constable recognised the legitimate interest of Authority members in considering the lessons learned and assured Members he would work to bring the report as soon as possible. The Chief Constable provided an update that improvements had already been made to how a number of matters are dealt with and procedures and protocols had been revised, but he was not in a position to publically comment in any detail at this time. Members agreed that it was important for the Board to scrutinise this area of activity in a timeous manner and it may be appropriate for it to be considered in private in quicker time with public reporting to follow when possible. It was agreed that opportunities to consider this early learning would be explored to ensure Members were appropriately sighted on the relevant details and for assurances to be provided which would allow the Board to discharge their statutory governance and oversight duties.

- In response to a question regarding timescales for the actions to address the findings of the wellbeing and engagement survey 'Your Voice Matters' to be reported to the Board, the Chief Constable advised an update would be considered at the People Committee in the first instance and then the implementation plan would be developed which would be considered by the People Committee and thereafter the Board.
- The Chief Constable was asked for a view on how relationship building across the broader public service landscape in which Police Scotland operates can be strengthened, and how the Authority can support this work. The Chief Constable stated that policing touches on many areas but is rarely the sole solution, and one of his longstanding objectives has been to find synergies and opportunities to deliver a better service whilst working with other agencies and partners to achieve best value and the optimal overall outcome for the public. Chief Constable Livingstone explained that he would continue to work with COSLA and other partners to be as outward looking as the organisation can be, and continue to build trust and encourage challenge.
- Referencing the County Lines Day of Action in Edinburgh, clarity was sought on how big a challenge County Lines was in Scotland. Chief Constable Livingstone explained that this was a growing problem that affected all communities in Scotland and strong links across the UK with other agencies was driving the activity.



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- The Chair of the Audit Risk and Assurance Committee invited the Chief Constable to provide early comment on the recently published UK National Preventive Mechanism's 'Scotland's progress in the prevention of ill-treatment in places of detention' report and sought an assurance from the Chief Constable that consideration of custody issues were a focus for the Chief Constable in light of the existing comments and recommendations from HMICS. The Chief Constable assured Members that this was indeed an area of focus for the organisation and there was a dedicated Chief Officer who leads on Criminal Justice. This dedicated resource was welcomed by Members. An assurance was provided that related actions and requirements will be delivered.
- DCC Will Kerr advised Members that of the 12 recommendations in the original report, 8 had been fully met with work ongoing on the other 4. Additional context was provided, for example how long some individuals are held in custody may be out with the control of Police Scotland e.g. absence of 7 day courts system. Members heard that additional resource has been put in to ensure people are not held in custody for longer than is necessary.
- The Authority Chair recognised the effort and contribution of C3 Staff and supported the Chief Constable's comments stating that, in his view they are professional and resilient.
- In respect of the Independent Assurance Group the Chair undertook to discuss the Chief Constable's recommendation to stand down the IAG and bring the work of the Group to a conclusion. It was noted that the Chair would discuss this with the Chair of the IAG, John Scott and provide an update to the next meeting of the Authority.

The Authority **RESOLVED** to:

- **NOTE** the update and agreed the following action

250821-SPABM-01: Members will be briefed on lessons learned from Rangers investigation.

### 5. SPA CHIEF EXECUTIVE'S REPORT

Members considered the report which detailed activities carried out by the Chief Executive and the Executive Team since the previous Authority Meeting. Lynn Brown took the report as read and highlighted 2 additional updates;



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- It was noted that on the 18<sup>th</sup> August, HMICS published a Progress Review of Police Scotland's response to online child sexual abuse and exploitation and added that this would be considered at the meeting of the Policing performance Committee on the 1<sup>st</sup> September at which HMICS would present the report.
- The publication of the UK National Preventive Mechanism's 'Scotland's progress in the prevention of ill-treatment in places of detention' report on the 24<sup>th</sup> August was highlighted by the Chief Executive and Members heard that this had been considered at the Policing Performance Committee in June and would be discussed again, in November, with any recommendations from reports also being tracked at the ARAC Committee.

In discussion the following matters were raised:

- Clarity was sought on the plans to ensure SPA teams and colleagues will be able to given sufficient opportunity to develop and grow and work together effectively as teams, despite the continued remote working. The Chief Executive explained that effort had been made to ensure staff had been consulted with and were comfortable with their working arrangements and this had been reviewed at various points throughout the past 18 months and this would be continued in the coming months.
- It was noted that future Board seminars would be planned to take place on a face to face basis and this would be done within the Covid guidelines.

The Authority **RESOLVED** to:

- **NOTE** the report

## 6. PROCUREMENT ANNUAL REPORT

Members considered the paper which sought approval for the procurement annual report. Chief Financial Officer, James Gray highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- Chief Financial Officer, James Gray explained that this report met an annual requirement placed on Police Scotland to set out what progress has been made against the Procurement Strategy which covers the period 2017-2021.

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- Members welcomed the good progress that had been made and welcomed the assurance that further improvements were planned. This would be built in to the new Procurement Strategy which was currently being developed and would be presented to the Resources Committee and Board in the coming months.
- As Chair of the Resources Committee, Bob Black confirmed the committee was supportive of the report.
- In response to a question regarding the community benefits and specifically how the creation of jobs compared to other organisations, it was explained that given the one off nature of so many of the contract awards this might not be as high as in other organisations, but that some benchmarking work would be carried out which would feature in the new Procurement Strategy.

The Authority **RESOLVED** to:

- **APPROVE** the Procurement Annual Report.

## **7. 26<sup>th</sup> CONFERENCE OF THE PARTIES (COP 26)**

Members considered the paper which provided an update on policing planning for COP 26. DCC Will Kerr highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- The Chair reminded Members that the SPA COP26 Oversight Group continued to provide valuable support and challenge.
- DCC Kerr updated Members on plans in progress to prepare for the policing of COP26, with significant communications activity underway. Members heard that sessions were planned over the coming weeks to help stakeholders understand the role of public order and protest management.
- Additional context of how human rights considerations would remain a focus throughout the policing of any protests was sought. DCC Will Kerr assured Members that Police Scotland wanted people to know that they should feel able to come to Scotland and express their views in respect of matters which are of global importance and concern. DCC Kerr confirmed that the focus of Police Scotland will be to keep everyone safe and to facilitate their right to assemble and protest peacefully in Scotland during the event.
- Recognising the importance of clear and timely communications in the public in the build up to and during events, an assurance was

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sought that robust plans were in place to ensure appropriate plans were in place in this regard. DCC Kerr advised that proactive engagement was underway through which Police Scotland would seek to engage with as many of the protest groups as was possible to make sure they were aware of the planned approach, tone and style from Police Scotland. It was noted this engagement would provide an opportunity to differentiate between those who planned peaceful protest and the small minority who will not. DCC Kerr also explained that those with hidden disabilities were being considered as the communications for during the event were being developed, and thought was given to how any communications could ensure those with hidden or visible disabilities were not overlooked.

- The work to finalise the Work Force Agreements was welcomed by the Chair of the People Committee. Clarity was sought on what areas these agreements covered. ACC Higgins explained these agreements covered a range of aspects including definitions of what constitutes a day, work patterns and potential flexibilities but provided a shared understanding of this information across all parties.
- A question was asked regarding the measures that will be put in place to ensure the Health, Safety and Wellbeing of both Police Scotland Officers and Staff and that of all mutual aid forces throughout the event. Members heard that officer and staff wellbeing was a key strategic element of the event planning and was of significant importance. Tactical examples were provided of steps that had been taken to ensure wellbeing these included; additional outdoor waterproof clothing, activities to keep officers from getting bored between duties and provision to care for anyone who should test positive for Covid. Members welcomed the assurance that a comprehensive overarching wellbeing strategy would be in place.
- In response to a question about what was being done to mitigate against impacts on the wellbeing of officers and staff carrying out Business as Usual (BAU) duties, it was explained robust planning was underway and that ACC Hawkins had been appointed Strategic Lead for BAU operations. It was reported that links existed between the Op Urram and BAU teams to ensure the necessary steps will be taken to minimise any negative impacts.

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- The Chair of the COP26 Oversight Group assured the Board he was confident the ongoing activity would result in all timelines being met to deliver the policing of the event. It was also noted that the learning would be captured and this would not only benefit policing in Scotland learning would benefit policing on a wider scale too.

The Authority **RESOLVED** to:

- **NOTE** the report.

### 8. POLICING RESPONSE TO COVID-19

#### 8a. INDEPENDENT ADVISORY GROUP ON POLICE USE OF TEMPORARY POWERS RELATED TO THE CORONAVIRUS CRISIS FINAL REPORT

Members considered the paper which provided the substantive findings of the Independent Advisory Group on Police Use of Temporary Powers related to the Coronavirus Crisis. John Scott highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- John Scott thanked the Authority and the Authority Staff who had supported the work of the IAG. He also thanked the Chief Constable, officers and staff of Police Scotland who had supported the work and thanked the Members of the Group.
- It was recognised there would be continued learning over the coming months and in response to a question on what the big lessons would be, John Scott expressed the view that the big lessons would be likely be learned elsewhere and not by Police Scotland or the Authority. He continued that the pandemic had been seen to exacerbate pre-existing inequalities and both devolved and UK Governments should take learning from these circumstances.
- It was also the view of the IAG Chair that learning should be taken to ensure any future changes in the law under similar circumstances, are communicated better and earlier.
- The agility of Police Scotland was recognised and John Scott agreed that the application of the 4 Es approach had given Police Scotland officers a valuable tool to use when addressing issues in policing,

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whilst recognising some of the inequalities that people were experiencing.

- The Authority Chair concluded the discussion by highlighting the need for policing to consider, amongst other things and as part of a wider discussion, some fundamental issues namely; the impacts on areas with poorer health, areas with less workforce agency and areas with less social capital where mutual support is not as available.

The Authority **RESOLVED** to:

- **NOTE** the report

**8b. SPA OVERSIGHT OF COVID-19**

Members considered the paper which provided details of SPA oversight of policing during the pandemic. The report details the SPA organisational response, oversight and assurance activity and provides reflections and lessons learned. LBrown highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- The Chief Executive provided a summary of the approach taken by the Authority from the start of the pandemic to provide assurance to the public, and explained effective oversight was achieved through proportionate oversight of both business as usual and the specific policing response to the pandemic. It was explained this was achieved through continued governance meetings, and public transparency was ensured with access to oversight through the livestreaming of meetings and creation of a dedicated Covid19 publications page on the website. The Chief Executive thanked Police Scotland colleagues for their support in ensuring the appropriate IT infrastructure was in place to facilitate continued governance meetings, recognising this was a key driver to the effective delivery of oversight and scrutiny.
- In response to a question seeking clarity on what lessons had been learned from the way in which data had been made available during the pandemic, the Chief Executive explained that the ability of Police Scotland to provide data and the willingness of Police Scotland to share their data had led to the SPA being able to test public opinion against what was being reported. It was noted by

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Members that this had laid foundations for a similar approach to future ways of working collaboratively.

- The Chief Executive reflected that, as the public platform for the IAG, the SPA had a clear role in being the public portal for the delivery of key messages to the public.

The Authority **RESOLVED** to:

- **NOTE** the report

### 9. HMICS 2020/21 ANNUAL REPORT

Members considered the report which outlined how HM Inspectorate of Constabulary in Scotland (HMICS) had carried out its statutory function for the period 1 April 2020 to 31 March 2021. Gill Imery thanked the Authority for the opportunity to present her Annual Report and highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- The Chair expressed a desire to invite HM's Chief Inspector of Constabulary to present the report on an annual basis.
- The Chief Constable welcomed the report and supported the HMICS' view that public scrutiny and accountability was very important and added value to the work of Police Scotland. He commented that there have been examples of robust challenge and insight and the independence and professional knowledge of HMICS in parallel is of significant value as part of the oversight landscape of policing in Scotland.
- The Vice Chair welcomed the improved relationships that had been seen between the SPA and HMICS and asked what changes to policing over the past year had, in HMICS's opinion, been of greatest significance. Gill Imery highlighted the Contact Assessment Model as a success from the past year and that she believed the desire to really understand what a caller is looking for from the police had changed call handling, albeit with a requirement for more time to be spent on each call to elicit the necessary information. It was noted that while the planned scrutiny of CAM had been deferred, HMICS was very supportive of the operating model. Gill Imery added that in her view, Police Scotland needed to be appropriately supported by other agencies as there was a limit to what policing could achieve on its own to ensure vulnerable people are appropriately supported should they need it.



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- In response to a question asking what learning could be taken from the way in which the wider Criminal Justice System (CJS) responded to the pandemic and what lessons could be taken from that response, Gill Imery commented that the digital innovations that had been brought in during the pandemic should be explored to drive improvements across the CJS with benefits for victims and witnesses who are impacted by delays.
- Noting that in the Annual Report, there is recognition of the improvements in SPA's oversight of policing, the Chief Executive sought clarity on what HMICS would expect to see which would lead to further improvements. Gill Imery commented that there had been huge improvements seen and suggested the Memorandum of Understanding between the SPA and Police Scotland which outlined areas of mutual interest as hugely beneficial. The new committee structure, new process for tracking recommendations, and new structure along with clear leadership from both the Chief Executive and Chair, had all added to the improvements and she would expect to see continued work to develop all of these elements.
- A question was asked regarding what progress the HM Chief Inspector of Constabulary felt had been made in respect of diversity and what, in her view, still needed to be done. Gill Imery explained that she was confident Police Scotland had done a huge amount of work in this area which was being led by DCC Taylor and she was encouraged by all of the effort Police Scotland was putting in to this area.
- HM's Chief Inspector of Constabulary stated that she was very confident the senior leadership within the organisation was very clear on the importance of why equality, diversity and inclusion was such an important matter, but recognised work was required to ensure this message was cascaded and properly understood right across the organisation at all levels. In conclusion, the Chair confirmed he agreed with the Chief Constable's view on the importance of the HMICS scrutiny and that it was enormously beneficial to the Authority.

The Authority **RESOLVED** to:

- **NOTE** the report



## 10. FINANCIAL PERFORMANCE QUARTERLY REPORT

Members considered the report which provided an update on the financial position of the SPA and Police Scotland for quarter one (three months ending 30 June 2021) of the financial year 2021/22, as well as forecasting the full outturn to 31 March 2022. James Gray highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- Recognising the challenges with capital spend in previous years, a question was asked regarding what confidence existed that the full capital spend would take place as budgeted. CFO James Gray explained that this has been an area of continuing improvement for the organisations and steps have been taken to work with budget holders to ensure a more robust approach. CFPO James Gray confirmed he was confident the full spend would be delivered in the timescale required.

The Authority **RESOLVED** to:

- **NOTE** the report

## 11. FORENSIC SERVICES REPORTING

### 11.1 FORENSIC SERVICES QUARTERLY REPORT

Members considered the Forensic Services Performance Report, Q1 2021/22. Tom Nelson highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- The Chair commended the fantastic achievement of Carina Joannidis, who works as a Forensic Services Mark Enhancement Officer who was awarded the Institute of Materials, Minerals and Mining Materials World Medal for Money Talks for her contribution to a collaborative project about examination of the new polymer banknotes.
- It was noted the report had been considered and discussed in detail at the recent Forensics Services Committee.
- DCC Malcolm Graham provided an update that the effective and strong relationships between Forensics Services and Police Scotland continued to allow demand to be managed effectively despite the challenges of Covid. The DCC highlighted the analysis of Drug

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Driving road tests as an area of joint concern for PS and Forensic Services based on the level of demand. It was explained that work was planned to establish ways in which capacity in this area could be enhanced to maximise public safety on the roads. It was recognised that enhanced performance reporting in this area would be undertaken to ensure progress was being made.

- The Chair of the Forensic Services Committee advised Members that the work to better understand the significant issues relating to drug driving testing and to find a solution was taken forward as a response to the scrutiny which had taken place at the Forensic Services Committee.
- Noting there was further discussion planned for a later agenda item, Tom Halpin welcomed the appointment of Fiona Douglas as successor to Tom Nelson when he retires later this year.
- Paul Edie thanked staff at the Scottish Crime Campus who had facilitated a visit of Members earlier in the month.
- In respect of the new toxicology laboratory for Scotland and the transfer of staff from University of Glasgow, an assurance was sought that steps would be in place to ensure the appropriate support would be available to staff as they transferred over to the SPA. Tom Nelson assured the Authority that plans were in place to manage the transfer of staff and this would continue to ensure staff and management were supported as the service moved to transfer over and good engagement had already taken place with Glasgow University.

The Authority **RESOLVED** to:

- **NOTE** the report

## 11.2 FORENSIC SERVICES THEMES AND ACHIEVEMENTS

The Chair introduced this item by reminding attendees this would be the final Authority meeting for Tom Nelson before he retires formally at the end of September. The Chair commented that Tom has had a long and distinguished career spanning four decades which began in Northern Ireland. He continued that Tom has witnessed, and been at the forefront of, advances in forensic science and technology over the last 40 years and we have had the benefit of his leadership in SPA Forensic Services since 2013. Before inviting Tom to speak to his presentation, the Chair asked that he provide attendees with a short summary of his career for the benefit of those observing the meeting.

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Members considered the presentation which provided an overview of Forensic Services Themes and Achievements reflecting back on changes in forensic science over the past 41 years. Tom Nelson took Members through his reflections on some of the key changes across forensic science during his career and how SPA Forensic Services was created, has evolved and is prepared for the future.

The Chair introduced Fiona Douglas who had recently been confirmed as the new Director of Forensic Services. She thanked Tom all of his work over the years, wished him well in his retirement, and advised she was looking forward to continuing this work in the coming years

Chief Constable Iain Livingstone congratulated Fiona Douglas on her appointment and stated that she would have the full support of colleagues at Police Scotland as she took up her post.

The Chief Constable spoke of his longstanding working relationship with Tom Nelson over a good number of years and across a very changing landscape and spoke of the respect he has for Tom's personal and professional integrity. The Chief Constable noted he would personally miss Tom's direction and advice and he wished him and his family well for his retirement on behalf of everyone involved in policing both here in Scotland and in Northern Ireland.

On behalf of the Board, the Chair thanked Tom for his presentation and put on record the thanks of the Board for his leadership, commitment and dedication to forensic science and the pursuit of justice over his career.

The Chair concluded that Tom Nelson leaves behind a Forensic Service in Scotland that is the envy of many playing a fundamental role in the criminal justice system in Scotland. The Chair wished Tom, on behalf of everyone in policing, a long and happy retirement.

Tom Nelson thanked everyone for their kind words which were all very much appreciated.

## **12. TRANSFORMATIONAL CHANGE**

### **12.1 OVERSIGHT OF CHANGE IN POLICING**

Members considered the paper which documented the SPA Board and Committee coordinated activity associated with the oversight of the content, progress, pace and impact of transformational change to support the continuous improvement of policing in Scotland. Barry Sillers highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- The Vice Chair sought an assurance that the processes in place would result in robust horizon scanning being undertaken across business areas and operational portfolios to ensure the early identification of the issues that will then be considered as part of the MOU process. The Deputy Chief Executive provided an overview of the arrangements that will be place for a collaborative and system wide approach to horizon scanning and explained this would take in to account 'continuous, special and topical horizon scanning' with the product that Authority Members would then see would be various briefings produced by the team. It was explained these arrangements would seek to be the SPA contribution to a policing wide horizon scanning process where key partners would work together to effectively prepare for future issues.
- The Chief Constable highlight that the MOU would not only cover matters of transformational change but will, in essence make sure all potential issues are identified and allow alignment between SPA and Police Scotland going forward and to remove duplication or omission.
- DCO Page provided an overview of the comprehensive activity that Police Scotland was involved in working with relevant partners to identify upcoming capability and ethical issues for the organisation and assured Members that strong links were in place across a number of partner organisation both domestically and internationally to ensure effective horizon scanning.
- It was confirmed that the project plans and outcomes would continue to be robustly monitored internally by Police Scotland at the relevant governance boards but the impacts would be considered at the Policing performance Committee. Members noted that SPA Corporate staff attended the Police Scotland Change Board. The Chief Executive assured Members there were very sound processes in place to ensure a strong grip on the oversight of change and it was agreed that the Chief Executive would work with Members to ensure they were briefed on the oversight arrangements that were in place to oversee the delivery of transformational change.

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The Authority **RESOLVED** to:

- **NOTE** the report

## 12.2 POLICE SCOTLAND TRANSFORMATIONAL CHANGE

Members considered the paper which provided an update in relation to the Oversight of Change within Police Scotland. Andrew Hendry highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- A question was asked regarding what are the key mechanisms that are used to assess and manage in real time the risks to BAU which may arise from implementation of change or failure to implement change in a timely manner. In response, Andrew Hendry explained that risk is considered and assessed at various points across the portfolio and this is explored in detail at various governance boards. He assured Members he was confident risk was appropriately considered across all projects but would welcome the opportunity to provide Members with additional detail on how this is done. DCO Page explained that close links existed between change teams and operational teams to ensure risks were appropriately managed.
- It was recognised that the Board's oversight should be at a strategic level with this being supported by SPA staff attending the various internal governance boards at which detailed data sets are considered.
- The Chair concluded that the oversight of transformational change has continued to improve and suggested it was now necessary to explore ways by which the Board would be able to have the ability to have oversight at an appropriate strategic level.

The Authority **RESOLVED** to:

- **NOTE** the report

## 12.3 SPA FORENSIC SERVICES TRANSFORMATIONAL CHANGE

Members considered the paper which provided an overview of the progress of transformational change undertaken in Forensic Services over the past six months. Fiona Douglas highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

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- The significant engagement was welcomed and an assurance was sought that the ambitious timescales were achievable with the current resource. Fiona Douglas confirmed that the pace of change would be appropriate for the level of resource in place and would not detrimentally impact on the staff involved. It was confirmed that a Change and Innovation Board would ensure the change to take place was fully aligned to the priorities of the organisations and which used the capacity effectively. Members noted there was close working with transformation and change Police Scotland colleagues who have the skills to support this activity.
- Recognising the significant nature of the organisational change, it was confirmed there was frequent engagement was in place with the Trade Unions and this had provided valuable insights for the work.

The Authority **RESOLVED** to:

- **NOTE** the report

*END.*

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**AUTHORITY MEETING**

**29 September 2021**

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**Minute of the SPA Authority Meeting held on Wednesday, 29  
September 2021 via Video-conference**

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Board Members Present: Martyn Evans (Chair)  
Jane Ryder (Vice Chair)  
Paul Edie  
Tom Halpin  
Alasdair Hay  
Katharina Kasper  
Grant Macrae  
Fiona McQueen  
Michelle Miller  
Mary Pitcaithly  
Catriona Stewart  
Caroline Stuart

Board Member Apologies: Robert Black

In attendance: Police Scotland  
Chief Constable Iain Livingstone  
Deputy Chief Constable Fiona Taylor  
Deputy Chief Constable Malcolm Graham  
Deputy Chief Officer David Page  
Assistant Chief Constable Bernie Higgins (Item 12)  
James Gray, Chief Financial Officer  
Chief Superintendent Linda Jones (Item 10)

Scottish Police Authority (SPA)  
Lynn Brown, Chief Executive Officer  
Chris Brown, Deputy Chief Executive, Resources  
Barry Sillers, Deputy Chief Executive, Strategy and  
Performance  
Fiona Douglas, Head of Strategy and Change (Forensic  
Services)



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Police Scotland Equality, Diversity, Inclusion and Human Rights Independent Review Group

Robin Iffla, Group Chair (Item 11)

Chris Creegan, Vice Chair (Item 11)

SPA Secretariat

Eleanor Gaw, Governance and External Relations Lead

Karen Vallance, Governance Support Officer

## 1. WELCOME AND STANDING ITEMS

The Chair opened the meeting and welcomed all Authority Members and representatives from the Police Scotland senior leadership team. He confirmed Jane Ryder would chair the meeting if he were disconnected from the video-conference.

The Authority **RESOLVED** to:

- **NOTE** no Member apologies;
- **NOTE** no other declarations of interest;
- **NOTE** no other business;
- **AGREE** that, in accordance with paragraph 20 of the SPA Standing Orders, the Board would consider items 13- 16 in private for the reasons set out on the agenda.
- **AGREE** to take Item 12 (26<sup>th</sup> Conference of the Parties) directly after Item 4 (Chief Constable's Report).

## 2. MINUTES AND ACTIONS FROM PREVIOUS MEETING

The Authority **RESOLVED** to:

- **ADOPT** the minute of the 25 August 2021;
- **NOTE** the action log and that there were no matters arising.
- **NOTE** no decisions had been made by correspondence since the last Authority meeting;

## 3. SPA CHAIR'S REPORT

The Chair highlighted that Members, Police Scotland's leadership team and key stakeholders had been made aware that the Chief Executive,

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Lynn Brown (LBrown) will be taking a leave of absence for an anticipated period of 6-months while she receives medical treatment for an illness. LBrown expects to make a full recovery and return from treatment in the spring. The SPA's two Deputy Chief Executives, Barry Sillers and Chris Brown (CBrown) will share the Chief Executive responsibilities in an acting capacity, supported by the wider SPA Corporate team. CBrown has been designated Interim Accountable Officer in LBrown's absence.

On behalf of the Authority, the Chair wished LBrown well for her treatment and a full recovery.

The Chair referred to his written report and invited any questions. Members requested sight of the draft Local Authority Engagement Plan which the Chair agreed to circulate.

The Chair highlighted that Committee and Oversight Group Chairs' reports were appended to his report and these provided an update on business progressed since the last Authority meeting through the:

- Complaints and Conduct Committee
- Legal Committee
- Policing Performance Committee
- People Committee
- Policing of COP26 Oversight Group
- Resources Committee
- Audit, Risk and Assurance Committee

The Forensic Services Committee has not met since the last Authority meeting, but is scheduled to meet on 25 October.

The Board **RESOLVED** to:

- **NOTE** the reports.
- **AGREE** the following action:

Draft plan to be circulated to Members.

290921-SPABM-01

#### 4. CHIEF CONSTABLE'S REPORT

Chief Constable Iain Livingstone (CCLivingstone) provided a detailed summary of the paper, specifically drawing attention to the following areas:

- Deaths of Lamara Bell and John Yuill

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- Recent murder investigations and Drug Recoveries
- Recorded Police Warnings
- Call Handling and Demand
- COP26 Engagement
- UK Police Engagement
- Police Officer Recruitment
- Specially Trained Officers – enhanced operation model
- Scottish Police Memorial Service and National Police Memorial Day

In discussion the following matters were raised:

- On behalf of Police Scotland, CCLivingstone offered well wishes and support to LBrown and to those in SPA who would be taking on additional responsibilities.
- The Chair thanked CCLivingstone for his comments on call handling and demand, and supported the requirement for change and improvement to how all services, agencies and sectors respond to vulnerabilities.
- Members sought further assurance on access and prioritisation of 999 calls. CCLivingstone confirmed he was confident in the response to emergency calls and encouraged members of the public to use 999 in an emergency. CCLivingstone confirmed that C3 rightly prioritise calls and if people phone 999 with an acute need for help, police will help. CCLivingstone advised Members that on occasion Police Scotland have been asked to support forces in England responding to acute demand, however the priority is always to respond to calls in Scotland.
- Members were advised that 225 officers in the flexible response unit had returned to Local Policing.
- Members reacted positively to the increase in recruitment but sought further information on whether there was any targeted recruitment for those who had skills specific to cyber or financial crime. CCLivingstone confirmed there was a requirement to recruit acute skills but it was not necessarily required at constable level. Members heard the workforce shape continues to change, and the recruitment of specialist staff has increased the capacity to tackle online crime and to ensure the future operating model is fit for purpose.

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- Members discussed the current issue of petrol supplies and were assured that Police Scotland have no problems fuelling vehicles but have contingencies in place should any issues arise.
- Regarding the parades in Glasgow on 18 September, Members were informed that people will be arrested and/or charged, if required. CCLivingstone committed to provide an update on numbers arrested and/or charged.
- Members sought comment of the future of agile working, to which CCLivingstone stated that it was a lasting impact of Covid-19. CCLivingstone confirmed it was the intention to reduce travelling for meetings which agile working allowed for. Members heard further work on the area is being taken forward through People and Development by capturing learning during the pandemic. ICT issues have largely been resolved , and the current focus is on any wellbeing impacts
- Members sought information on initiatives taken forward to reduce officer assaults, and specifically whether there was any link with Taser use. Members heard when a Taser is deployed, injuries to the officer and assailant(s) are reduced. A large amount of data has been collated with regard to officer assaults which has resulted in bespoke environmental and departmental specific information on the types of assaults that officers are subject to. This has also allowed operational safety training to be upgraded to be more bespoke.
- The Chair noted SPA and Police Scotland intend to publish a factsheet on Tasers which will set out the evidence on Taser use. It is hoped benchmarking detail will be collated regarding the proportion of officers carrying Tasers, deployment and discharge.

The Authority **RESOLVED** to:

- **NOTE** the paper;
- **AGREE** the following action:

Number of people arrested and/or charged as a result of their behaviour at parades in Glasgow on 18 September to be confirmed.

290921-SPABM-02

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## 5. SPA CHIEF EXECUTIVE'S REPORT

Members considered the report which detailed activities carried out by the Chief Executive and the Executive Team since the previous Authority Meeting. LBrown highlighted a number of key points as detailed in the paper.

Regarding the Seldom Heard Voices Research, LBrown advised Members that one project related specifically to intersectionality. An SPA press release and website news item provides details of all projects via a link to the Scottish Institute for Policing Research.

The Authority **RESOLVED** to:

- **NOTE** the report

## 6. 5 YEAR FINANCIAL PLAN

Members considered the paper which sought approval for the Five Year Financial Plan. Chief Financial Officer, James Gray (JGray) highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- Grant Macrae (GMacrae) confirmed the Resources Committee were content to recommend the plan for approval.
- Members sought clarity on the impact of the plan following funding settlement confirmations and changes to areas such as pay (?) protection and national insurance. JGray assured Members the plan is a live document so will be monitored and any developments built into future reiterations of the plan.
- JGray provided an overview of the areas of pressure identified in both the lower and higher funding scenarios. To highlight the difference between all scenarios, JGray confirmed he would provide more financial detail regarding the future revenue profile.
- Regarding capacity creation, Members were assured the Chief Constable has discretion to allocate resources to meet the operational requirements of the service.
- Members requested the People and Development team confirm the extent to which delivery of the strategic workforce plan refresh can be accelerated.
- Members questioned the degree of planning and contingency to take account of impact of capital allocations. JGray reiterated that

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any revenue consequences of the capital programme and investment would be built into the plan. DCO David Page (DCOPage) emphasised the capital plan was not an ambitious plan but a required plan, and essential services have been built over the last five years with a clear view of what is required.

- Members questioned if the moves to co-location put savings at risk due to pressure on revenue, and whether the Estates Strategy should therefore be refreshed. JGray confirmed it had been highlighted in the capital strategy as a risk but is not a major concern. Leasing is undertaken as a full public sector approach and work is required to look at the impact on all public sector budgets. Members heard the Estates Strategy focuses on creating fit for purpose estate and good working conditions; and co-location is operationally led, and the strategy therefore does required to be refreshed.
- The Chair emphasised the paper presented is a five year plan, not a five year budget and is a live document. The strategic aim is to highlight where the pressures may come to, allow decisions to be made. The Chair noted it was a great achievement to provide a plan with such detail.
- CCLivingstone agreed it was a great achievement and commended the work undertaken by DCOPage and JGray. CCLivingstone advised having a five year plan provided the opportunity to make a case to Scottish Government during the spending review process, and assist in building cross party support.

The Authority **RESOLVED** to:

- **APPROVE** the Five Year Financial Plan, with caveat that the date of 2024 for the next iteration of the Strategic Workforce Plan is revisited and brought forward.
- **AGREE** the following actions:

More financial detail to be provided regarding future revenue profile, to highlight difference between the three funding scenarios.

290921-SPABM-03

People and Development team to confirm the extent to which delivery of the strategic workforce plan refresh can be accelerated.

290921-SPABM-04

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## 7. CAPITAL STRATEGY

Members considered the paper which sought approval for the Capital Strategy. JGray highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- GMacrae confirmed the Resources Committee were content to recommend the strategy for approval.
- Members heard how the capital envelop had been stress tested, with different areas looked at in detail to ascertain what is required, however there is still a gap in what is being asked for and what is available.
- Members referred to the introduction of IFRS16 and raised concern on unknown risk. JGray advised that the Authority do not need to be concerned at this stage as there is not yet a definitive direction of travel. Members were assured work will be undertaken to understand the impact, but the concern is for future leases as current ones will be covered by a transfer in budget.
- Members encouraged Police Scotland to emphasise the positive impacts of investments and any interdependencies.
- The Chair requested SPA and Police Scotland discuss budget option approaches to inform the budget setting process.

The Authority **RESOLVED** to:

- **APPROVE** the capital strategy.
- **AGREE the following action:**

SPA and Police Scotland to discuss budget options approach to inform budget setting process.

290921-SPABM-05

## 8. PROCUREMENT STRATEGY

Members considered the paper which sought approval for the Procurement Strategy. JGray highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:



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- GMacrae confirmed the Resources Committee were content to recommend the strategy for approval.
- Jane Ryder, Audit, Risk and Assurance Committee Chair, commended the procurement team and the Committee had seen improvements made over the last couple of years.

The Authority **RESOLVED** to:

- **APPROVE** the Procurement Strategy.

### 9. FORENSIC SERVICES STRATEGY

Members considered the paper which sought approval for the Forensic Services Strategy. Fiona Douglas (FDouglas) highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- Tom Halpin confirmed the Forensic Services Committee were content to recommend the strategy for approval.
- Members sought reassurance on Forensic Services capacity to deliver. FDouglas confirmed there had been a substantial amount of detailed planning to deliver the refreshed strategy. Further capacity and capability had been built within the leadership team so that the organisation is well prepared to embark upon organisational change. A more sophisticated method has been developed to prioritise business change and continuous improvement to ensure capacity is not exceeded.
- Members heard work on the strategy was undertaken in conjunction with Police Scotland to allow alignment with the joint strategy for policing, which the Chair commended.
- Members heard the Resources Committee were positive about the strategy but had queried capacity to manage change and raised concern on future capital and revenue funding.
- The Chair acknowledged the long discussion on strategies but stressed their importance as the mechanism to improve benefits to policing and forensic services. The Chair noted next steps are critical and require the Authority, Police Scotland and Forensic Service to work together to make the correct decisions in the public interest.

The Authority **RESOLVED** to:

- **APPROVE** the Forensic Services Strategy.

## 10. GAELIC LANGUAGE PLAN

### 10.1 SPA GAELIC LANGUAGE PLAN

### 10.2 POLICE SCOTLAND GAELIC LANGUAGE PLAN

Members considered the paper which sought approval for the SPA Gaelic Language Plan. LBrown highlighted a number of key points as detailed in the paper.

Members also considered the paper which provided an update on the recent public consultation of Police Scotland's revised draft Gaelic Language Plan. Chief Superintendent Linda Jones (ChSuptJones) highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- ChSuptJones confirmed that the consultation responses had been taken into consideration and the Police Scotland plan was fully achievable. Members were advised further updates can be brought to the Authority, if required.
- LBrown advised Members that funding of the SPA plan was minimal and all tracking is aligned to the SPA Business Plan.
- Both LBrown and ChSuptJones confirmed that the work undertaken was proportionate to the statutory requirements.

The Authority **RESOLVED** to:

- **NOTE** the report from Police Scotland.
- **APPROVE** the SPA Gaelic Language Plan.

## 11. POLICE SCOTLAND EQUALITY, DIVERSITY, INCLUSION AND HUMAN RIGHTS INDEPENDENT REVIEW GROUP

The Chair welcomed Robin Iffla (RIffla) and Chris Creegan (CCreegan) to the meeting.

Members considered the paper which provided an update on the position of the newly established Police Scotland Equality, Diversity, Inclusion and Human Rights Independent Review Group. RIffla highlighted a number of key points as detailed in the paper.

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In discussion the following matters were raised:

- Members sought clarity on the criteria for recruiting members and heard that the Chair and DCC Fiona Taylor (DDCTaylor) looked across Scottish civic society and wider groups to identify potential Members for the core membership. Exemplars within the equality, diversity and inclusion field provided the rationale for membership however additional contributors will be invited to ensure there is capacity and capability across all areas.
- Members emphasised the need for a clear strategic direction on embedding equality, diversity and inclusion in all areas of the organisation, and heard that a bespoke equality, diversity and inclusion strategy will be developed.
- Members noted there is not an explicit link between the Terms of Reference and aspired outcomes in how improvement will be recognised and scrutinised. Riffa informed Members that discussions have already taken place with SEMPER as well as face to face meetings with minority ethnic officers on their experiences, and these will continue to develop. The group members represent a wide range of communities to allow as much information as possible to be collated through engagement.
- Members heard the group were satisfied they had gathered the right information to have a base starting point.
- Members were informed the group will report in public and are open to discussing findings with the Authority. The People Committee Chair welcomed the opportunity for further discussions at the Committee.
- DDCTaylor detailed discussions so far and the internal governance arrangements for performance reporting.
- The Chair confirmed the Authority supported the creation of the group and offered the opportunity for a further discussion at a future Authority meeting.

The Authority **RESOLVED** to:

- **NOTE** the report.

## 12. 26<sup>th</sup> CONFERENCE OF THE PARTIES (COP 26)

Members considered the paper which provided an update on policing planning for COP 26. ACC Bernie Higgins (ACCHiggins) highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- CCLivingstone advised Members of the growing amount of interest and legitimate questioning Police Scotland is encountering, and that UK and Scottish Governments are understandably focused on the event and the policing of it. CCLivingstone provided information on the recent meeting he attended with UK and Scottish Government Ministers which has reinforced the importance of the operational independence of the Chief Constable and policing.
- The Chair acknowledged the criticality of the operational independence of the Chief Constable, noting the Authority will protect and support it.
- Tom Halpin (THalpin), Chair of the SPA Policing of COP26 Oversight Group, confirmed the Group has been clear on the difference between the operational independence of the Chief Constable and the oversight and scrutiny role of the Authority. THalpin confirmed health, safety and wellbeing of the workforce has been a focus during recent meetings, and that learning would be captured for policing of future events.
- Members sought further information on mitigation and planning for Covid-19 impacts on the workforce. ACCHiggins confirmed the UK Government have provided a Covid-19 mitigation/adaption plan and Police Scotland have developed a bespoke internal welfare plan. ACCHiggins confirmed Police Scotland will always be guided by public health guidance.
- Members sought further information on consideration of custody arrangements for children and young people. ACCHiggins responded that children and young people being placed in custody does depend on the nature of the crime, however sometimes custody is used as place of safety. ACCHiggins confirmed Police Scotland are mindful of the sensitivities around young people in custody.
- Members requested information on any engagement with other groups known for protesting and heard that Police Scotland have met with Extinction Rebellion who have confirmed they plan to carry out peaceful protests. ACCHiggins advised that peaceful protests

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are encouraged and will be facilitated but if any are unlawful and impinge on the ability of the conference to carry out its business then Police Scotland will be more pro-active in its response. Unless there is any real threat to life, there will be no mass arrests, however, should they occur then the wider criminal justice system will be able to assist.

- Members sought assurance that after the event, a review will take place. ACCHiggins confirmed that from a financial aspect, there will be a lot of post event work. In terms of organisational learning, ACCHiggins confirmed that learning will be used for legacy benefits such as upskilling, as well as providing learning for policing other large scale events hosted in UK.
- The Chair acknowledged that planning has been of a large scale and wished Police Scotland well in policing the conference.

The Authority **RESOLVED** to:

- **NOTE** the report.

*END.*

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**AUTHORITY MEETING**

**24 November 2021**

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**Minute of the SPA Authority Meeting held on Wednesday, 24  
November 2021 via Video-conference**

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Board Members Present: Martyn Evans (Chair)  
Jane Ryder (Vice Chair)  
Paul Edie  
Tom Halpin  
Alasdair Hay  
Katharina Kasper  
Grant Macrae  
Fiona McQueen  
Michelle Miller  
Mary Pitcaithly  
Catriona Stewart  
Caroline Stuart

In attendance: Police Scotland  
Chief Constable Iain Livingstone  
Deputy Chief Constable Fiona Taylor  
Deputy Chief Constable Malcolm Graham  
Deputy Chief Officer David Page  
Assistant Chief Constable Bernie Higgins (Item 6)  
James Gray, Chief Financial Officer

Scottish Police Authority (SPA)  
Chris Brown, Acting Chief Executive, Resources  
Barry Sillers, Acting Chief Executive, Strategy and  
Performance

COP26 Oversight Group  
John Scott QC, Solicitor Advocate, Group Chair (Item 7)

Glasgow City Council  
Denise Hamilton, Head of City Services and COP26 (Item  
7)

SPA Secretariat

Eleanor Gaw, Governance and External Relations Lead  
Karen Vallance, Governance Support Officer

## 1. WELCOME AND STANDING ITEMS

The Chair opened the meeting and welcomed all Authority Members and representatives from the Police Scotland senior leadership team. He confirmed Jane Ryder would chair the meeting if he were disconnected from the video-conference.

The Authority **RESOLVED** to:

- **NOTE** no Member apologies;
- **NOTE** no other declarations of interest;
- **NOTE** no other business;
- **AGREE** that, in accordance with paragraph 20 of the SPA Standing Orders, the Board would consider items 8- 10 in private for the reasons set out on the agenda.

## 2. MINUTES AND ACTIONS FROM PREVIOUS MEETING

The Authority **RESOLVED** to:

- **ADOPT** the minute of the 29 September 2021;
- **NOTE** the action log and that there were no matters arising. The Chair requested action 250821-SPABM-01 regarding lessons learned from the Rangers Football Club Investigation be added to the Legal Committee work plan. The Legal Committee Chair agreed.
- **NOTE** decisions made by correspondence since the last Authority meeting relating to Committee Membership: Tom Halpin to Policing Performance Committee, Alasdair Hay to Resources Committee, and Caroline Stuart to PNB.

## 3. SPA CHAIR'S REPORT

The Chair referred to his written report highlighting engagement with COSLA and the 2021 Strategic Command Course. The Chair paid his



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respects to Dr Robert Black CBE and spoke of the memorial held earlier in the month.

The Chair highlighted that Committee and Oversight Group Chairs' reports were appended to his report and these provided an update on business progressed since the last Authority meeting through the:

- Policing of COP26 Oversight Group
- People Committee
- Forensic Services Committee
- Legal Committee
- Resources Committee

In addition to the reports tabled, People Committee Chair, Mary Pitcaithly, informed the Authority that the Committee were presented with a more detailed report relating to Police Scotland and SPA Your Voice Matters survey results. Specific areas were highlighted as well as an initial implementation plan from Police Scotland. Police Scotland assured the Committee it is committed to improvement activity and progress will be tracked internally and monitored by the Committee. To support this, the Committee requested: clarity on what should be expected to be achieved and when the impact of implementation would be felt; further information on benchmarking data, and regional or business area variations, and analysis of free text responses. The Committee look forward to future reports which members hope will provide assurance that Police Scotland and the SPA are taking the right actions and interventions which are having positive impacts.

Forensic Services Committee Chair, Tom Halpin, emphasised the work ongoing to integrate the morbid toxicology service into Forensic Services. Another emergent area of pressure highlighted was the caseload from drug driving as case numbers were exceeding that estimated and the Committee was working with Forensic Services, Police Scotland and other partners to help address this.

Legal Committee Chair, Paul Edie, confirmed another Committee had taken place on 18 November to discuss a matter on the litigation table.

Audit, Risk and Assurance Committee Chair, Jane Ryder, informed Members the Committee held a development day where representatives from Audit Scotland and HMICS attended to speak in more detail on Best Value. HMICS also provided some indication of future changes and improvements relating to the current work on revising the HMICS framework.

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The Board **RESOLVED** to:

- **NOTE** the reports.

#### 4. CHIEF CONSTABLE'S REPORT

Chief Constable Iain Livingstone (CCLivingstone) provided a detailed summary of the paper, specifically drawing attention to the following areas:

- Recent murder investigations, drug recoveries and significant convictions
- Violence against women and girls including the disclosure scheme for domestic abuse
- COP26
- Wellbeing and Engagement Survey
- Officer and staff recruitment and recognition

In addition to the written report, CCLivingstone expressed his condolences to the family of Dr Robert Black. CCLivingstone also advised the Authority that correspondence had been sent to the British High Commission in Colombo to advise that Police Scotland will not seek to renew contracts to support the Sri Lanka Police Service. Members also heard the Police Service of Northern Ireland (PSNI) have agreed to undertake an independent review to identify learning from the Employment Tribunal judgement regarding Rhona Malone.

In discussion the following matters were raised:

- The Chair praised the "That Guy" Campaign, and noted he had received a number of positive comments on it.
- Members requested more detail on advice and support given to elected Members following the fatal stabling of Sir David Amess MP. Members heard Police Scotland reached out to elected representatives at Westminster, Holyrood and in Local Government to advise what measures could be taken to protect members during public gatherings such as surgeries and events. In addition to the already established security assessment and advice provided to members, Police Scotland engaged with MPs, MSPs and Councillors via COSLA, with 320 people attended virtual briefings in October where over 200 follow up questions were received. Work will continue with COSLA to contact more representatives.

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- Members were provided with further information on the number of initiatives launched by the Cybercrime prevention team in the run up to Christmas. Police Scotland acknowledged cybercrime was a growing issue of concern and noted the vital importance of prevention, protection, education and support.
- Regarding violence against women and girls, Members sought further information on lessons learned and any interdependencies between internal and external reviews. Members also sought further information on the role of Police Scotland in challenging cultural and societal aspects and on work with minority populations. CCLivingstone advised that Police Scotland meet regularly with representative groups and listen to all feedback. Focus is on prevention and protection and Police Scotland have a moral duty to take leadership in this area. Members heard the single service allows consistent standards and expectations. Members heard that a detailed paper on Police Scotland's approach to violence against women and girls would be brought to a future Authority meeting. Domestic violence against women and girls is significantly under-reported, illustrated by recent convictions and Police Scotland's priority is to ensure individuals feel confident and encourage people to step forward and report violence. The organisation is taking a proactive approach to look at an individual's history which can bring forward other victims. The success of the "That Guy" campaign derived from an informed approach through established relationships and partnership working. It was acknowledged that further work is required in the area with regard to reaching people with disabilities and other protected characteristics.
- Regarding Operation Moonbeam, Members heard initial reports show new legislation and community tools are a success, so will be further developed for the future. The working relationship with the Scottish Fire and Rescue Service is a positive one and will continue to grow.
- Members referred to a briefing received on body worn video and complimented how it highlighted the benefits and challenges whilst providing assurance on governance approaches and how this governance and clear communication was helping to ensure public consent.
- Regarding the decision to cease training work with police in Sri Lanka, CCLivingstone welcomed the opportunity for further

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discussion on how best to ensure the views of SPA are considered in respect of future international deployments.

- Regarding Op Talla Members were assured that the 4Es approach continues to be maintained, and Police Scotland continue to engage with Scottish Government, and will respond to any legislation changes related to Covid-19.
- In relation to county lines, Members heard that a large amount of activity had been undertaken. Funding had been secured for dedicated officers to work with other UK forces to ensure a coordinated response.
- Members were informed there was no direct link between various reports of spiking and the matter was being co-ordinated at a national level. Thorough investigations are undertaken in collaboration with other organisations with a focus on prevention. A rise in reporting may be connected to increased media reporting, and Police Scotland continues to encourage such reporting.
- Members sought further information on the scope and Terms of Reference of the PSNI review. CCLivingstone advised PSNI will consider the judgement and make an assessment of individual officer conduct and the organisational and cultural issues. The report will be returned to Police Scotland via DCC Fiona Taylor and any further action required will be taken. Reporting will be brought to the Authority through the appropriate governance meetings.
- Members sought comment from CCLivingstone on mandatory sentences for killers of police officers. CCLivingstone stated that whether sentences are mandatory is a matter for the Scottish Sentencing Council which Police Scotland sit on. CCLivingstone condemned any attacks on emergency services workers.
- Members requested further information on the types of weapons recovered during the successful 360 Stop and Search results which have occurred since April 2021.
- Members heard there is a high demand on policing from wider social care issues and Police Scotland continue to work with partners to develop a long term solution. In the short term, Police Scotland continue to deal with calls and encourage those who require assistance to contact them.

The Authority **RESOLVED** to:

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- **NOTE** the paper;
- **AGREE** the following action:

Breakdown to be provided of types of weapons found from the 360 recoveries during Stop and Search since April 2021.

241121-SPABM-001

## 5. SPA CHIEF EXECUTIVE'S REPORT

Members considered the report which detailed activities involving SPA corporate staff since the previous Authority Meeting.

The Authority **RESOLVED** to:

- **NOTE** the report
- **APPROVE** the proposed calendar of Authority and Committee meetings for 2022/23

## 6. FINANCIAL PERFORMANCE QUARTERLY REPORT

Chief Financial Officer James Gray highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- Resources Committee Chair, Grant Macrae, confirmed the Committee had an extensive discussion on each area of the report. The Committee understood the challenges faced on the supply of goods and services which has put pressure on capital spend, but welcomed the action undertaken. The Committee recognised another challenge was the recruitment of specialist skills and the Committee encouraged the finance team to have contingency plans in place.
- The Chair suggested discussions on the supply of goods and services also consider workforce issues, including competition for the supply of skilled workforce.
- Members heard the Committee were confident that action had been taken to ensure any capital underspend would be caught up by the end of the financial year. Deputy Chief Officer David Page (DCOPage) added that internal reviews have been conducted regarding capital spend and the pressure on internal resources.

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DCOPage confirmed he was confident all allocated capital would be spent in the financial year.

The Authority **RESOLVED** to:

- **NOTE** the report

## 7. 26<sup>th</sup> CONFERENCE OF THE PARTIES

The Chair welcomed ACC Bernie Higgins (ACCHiggins), John Scott QC (JScott) and Denise Hamilton (DHamilton).

CCLivingstone commented on the scale and significance of the policing operation during the 25 day period. The organisation will take time to establish lessons learned, although parts have already been responded to such as the last minute change to route planning around Kelvingrove Park. CCLivingstone noted his appreciation of SPA governance and thanked ACCHiggins for his leadership and work.

Members considered the paper which provided an update on policing of the 26th Conference of the Parties (COP26). ACCHiggins highlighted a number of key points as detailed in the paper, emphasising the three key strategic themes: protective security, public safety and staff/officer welfare. The debrief process had begun with legacy benefits already identified such as upskilling of officers and improved custody areas. Any learning could be applied to music, sport and other high attendance level events.

DHamilton stated that partnership working with Police Scotland was key for planning. Plans in place were based on expecting some disruption however the general feeling was peaceful and the transport network worked well. DHamilton stated from a council point of view, the visibility of police was positive. Police Scotland and Glasgow City Council will work together to capture all learning which will be used for future events. The Council had already acknowledged the impact on the business community due to the decrease in footfall. DHamilton confirmed there had been a small number of campers and the police liaison officers were key in facilitating. DHamilton gave thanks for the opportunity to be present within the MAC room as it allowed fast communication and coordination between partners.



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JScott advised Members a lot of work had been undertaken in advance with regular meetings of the IAG taking place. A meeting was held each week of the conference with an additional meeting scheduled at short notice to discuss one report of containment. JScott shared his gratitude at being able to attend the MAC which provided an opportunity to be briefed in real time. JScott explained how information not made public, such as intelligence, provided the IAG the opportunity to see the big picture. The IAG looked at data, but numbers of arrests and complaints were lower than estimated. JScott advised that the IAG were open to contributing in any lessons learned exercises but noted organisations represented in the group may produce their own report. JScott summarised a number of reports which may be produced by external groups. JScott noted that international colleagues had positively commented on the IAG with the establishment of the group a healthy sign of a mature police service.

SPA Policing of COP26 Oversight Group Chair, Tom Halpin (THalpin) commented that the group was established in February 2020 to provide board oversight of planning and delivery of the policing operation. Health, safety and wellbeing of officers, business as usual and contribution of key interest groups were routinely discussed. The group scrutinised and tested the exercising programme and the upgrading of custody suites and received excellent contributions from Police Scotland. THalpin confirmed he was a member of the IAG which added value. THalpin also referenced the round table event held by SPA in September which focussed on building an understanding of and promoting human rights to protest. THalpin confirmed that site visits within Glasgow division were facilitated for group Members. Following lessons learned work, a fuller report from the group will be provided to the Authority in March 2022.

In discussion the following matters were raised:

- The Chair noted the issue of finance was a complex negotiation and confirmed that it is clear there is no financial detriment to the SPA.
- The Chair also advised he had attended the MAC which had provided critical learning on the complexity of the policing operation.
- Members sought CCLivingstone's opinion on reports that the conference was over policed. CCLivingstone responded that it was not over policed and planning allowed both a safe event and



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business as usual to continue. CCLivingstone added that he was confident it was a proportionate and effective response.

- With regards to the use of containment, Members heard intelligence was received that groups were intending taking action which posed a security risk. Containment using liaison officers was deemed the safest option. Liaison officers assessed on an ongoing basis whether vulnerable people were involved and emphasised that protesters always had the opportunity to leave the containment.
- Members referenced the custody arrangements for children and young people and questioned whether this was used. ACCHiggins advised that the breakdown of those in custody had not been completed yet, however highlighted that of the 97 arrests, not all were activists.
- Members were assured that lessons learned would be undertaken using the many partner relationships established.
- Members questioned how the experience of officers would contribute to learning. ACCHiggins advised a strategic lead for welfare was appointed and staff associations were actively engaged, with positive feedback received. The experience of mutual aid officers would also be collated and feedback provided against the welfare strategy.
- Members raised a number of additional questions which were agreed to be taken forward by the SPA Policing of COP26 Oversight Group. Areas included: themes of complaints against police; animal welfare; full cost recovery monies received, and legacy of confidence in policing.
- CCLivingstone noted that it had been a very successful event for Scotland and policing in Scotland. The Chair agreed it was positive that the key outcome was the climate change discussion and not what was happening outside the conference. The Chair emphasised the importance of arrests and complaints data being further analysed.
- In closing, both the Chair and CCLivingstone commended the work of ACCHiggins and wished him well for his retirement.

The Authority **RESOLVED** to:

- **NOTE** the report

*End*