

Meeting	Authority Meeting
Date	30 September 2020
Location	Video-conference
Title of Paper	SPA Interim Chair's Report
Presented By	David Crichton
Recommendation to Members	For Discussion
Appendix Attached:	No

PURPOSE

To provide a report on the main priorities and challenges facing the work of the Authority over the next 3-4 months, as well as on the Authority's continuing oversight of the Police Scotland response to the COVID19 emergency.

Introduction

In my last report to the Board, on 19 August, I signalled the need to re-focus on some of the key, long-term challenges facing policing, most of which were evident before the COVID19 pandemic, including long-term funding, growing and more complex operational demands, and workforce skills and planning. The agenda for our September meeting again reflects that, with items on the spending review, Police Scotland's strategy for tackling cyber-crime, and an update on Brexit contingency planning.

However, the growing rate of COVID19 infection and the introduction of stricter regulations on 22nd September require that we still report on our continuing oversight of policing the pandemic. The role of Police Scotland in protecting public health is as central as ever and the maintenance of public support all the more important.

Spending review

The Authority made a [written submission to the Justice Sub-Committee on Policing for its pre-Budget scrutiny session on 17 September](#)¹. Our Interim CEO, alongside Police Scotland, gave evidence to the session. Our submission reinforced the messages from my last few reports to the Board: the structural deficit in the policing budget is unsustainable, and in the face of growing pressures on public funds and a continuing commitment to the current level of officer numbers, the Authority sees no prospect of that deficit being eliminated in the short-term. A greater understanding of demand, productivity and workforce deployment will help mitigate this over time but, as we say in our submission, an informed national debate on the long term role, skills and financial provision required to protect community safety and wellbeing in an increasingly unpredictable and high-risk environment is urgently required.

Operational pressures

A concurrence of operational demands on Police Scotland was evident before the pandemic, has continued to be planned for and is now looming

¹ <https://www.spa.police.uk/spa-media/orhf1jr0/sub-20200909-spa-submission-to-justice-subcommittee-on-2021-2022-budget.pdf>

closer. In particular, the consequences of a potential no-deal Brexit are only a few months away, planning for COP26 has accelerated and the consequences of COVID19 will be with us well into 2021. An update on Brexit planning is included in this month's Board agenda, and the Authority's COP26 oversight group will continue to track the financial and operational impacts of the event, as well as its potential effect on officer health and wellbeing. The logistical impact of COP26 will extend well beyond the site of the event itself, across Glasgow city centre and into those parts of Scotland where visiting heads of state will be accommodated and additional events and demonstrations will be taking place. The Authority is discussing with Police Scotland how additional input and advice can be taken from those communities and interest groups whose patience and cooperation will be essential to successful policing of the event. We are also grateful to HMICS for the complementary work it will be conducting in relation to COP26.

At a strategic level, the tabling at this meeting of Police Scotland's proposed approach to tackling cyber-crime is particularly welcome. The spread of all forms of cyber-crime is rapid and insidious and there is evidence of it having accelerated during the COVID19 emergency. The response to it has important consequences for public perceptions of policing. Much of the response will take place outside public sight and may have implications for the visibility of officers on the ground. It will also require intrusions into private, online space which will raise privacy and rights concerns. Earlier introductions of digital technology have illustrated that risk, and in that regard I welcome the appointment by Scottish Government of Dr.Liz Aston, Associate Professor of Criminology at Edinburgh Napier, as chair of a new Independent Advisory Group on New and Emerging Technologies in Policing. We look forward to benefitting from the new Group's expertise and advice. There will be implications for the skills base of the police workforce and a need for more capital investment. Tackling cyber-crime therefore has huge implications for both the delivery of policing and the way the Authority and other bodies exercise their governance and scrutiny responsibilities.

Diversity and equality

At its August meeting, the Authority received a thematic report on how Police Scotland is seeking to improve the diversity of its workforce and the training it provides to ensure that the service reflects and respects the growing diversity of Scotland's population. I confirmed that this is a

theme which we will return to on a continuing basis. Since then, I have met with the SEMPER organisation (Supporting Ethnic Minority Police Employees for Equality in Race) and with the Scottish Women's Development Forum which supports gender equality in employment within the Scottish Police Service. I also intend to meet with the many other groups supporting equality within policing, including those representing the Muslim, Christian, LGBT+ and disabled communities. My intentions are that: scrutiny of Police Scotland's performance in ensuring diversity and equality is embedded as an integral part of the Authority's overall governance system; our scrutiny examines not just data on the make-up of the force but goes deeper into more qualitative, underlying issues such as recruitment, retention, access to different roles and the workplace experience of officers and staff; and that our scrutiny is informed by those representing our diverse communities both externally and within the Police Scotland.

COVID19

Since our last meeting, the [Authority has submitted evidence to Parliament](#)² on our continued oversight of policing during the pandemic.

Scottish Government has also introduced, on 22nd September, further regulations to help intercept the growing incidence of COVID19. This once again changes the context for policing the pandemic. We have all had to cope with restrictions for much longer than anticipated. Those restrictions have become more targeted and complex. The impact on social and economic life, on individual and community wellbeing and on underlying inequalities reinforce both the need for and risks to public consent, and there has been growing commentary around intrusions into rights and liberties. However, the protection of human rights and the protection of public health should be in alignment not conflict and Police Scotland, with responsibilities for both, are in the front line of maintaining that alignment and balance. I have no doubt that the core approach of the "4E's" which has served so well to date will continue to be the most appropriate way forward. But the continuing advice of the Independent Advisory Group will

² <https://www.spa.police.uk/spa-media/5j2g3xo5/sub-20200821-spa-submission-to-justice-sub-policing-a-pandemic.pdf>

be essential for some time yet. The Authority will also shortly commission its third wave of public polling to test the continuing extent of public compliance and confidence.

Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing

The Dame Elish Angiolini Preliminary Report on 'Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing' was published in June 2019. The Report identified a total of 30 recommendations, four of which were specific to the Authority. We subsequently produced an internal action plan to address the specific recommendations within the Report and to take account of the lessons learned and observations made. Since the Authority's last meeting I have spoken to Dame Elish again as her work nears conclusion. As has been the case throughout, the Authority has engaged fully in the Review and remains entirely open to the conclusions and recommendations which it will come to.

Authority development

Over the past year, the Authority has continued to develop its structure, capacity and confidence. A new structure, specifically tailored to the responsibilities of the organisation, is now being implemented and recruitment is under way for a number of positions. Together with training and development for our current staff, and the continuous commitment and energy they have demonstrated throughout these difficult circumstances, the Authority is now building the capacity originally planned and budgeted for. The structure has been subject to full consultation with staff and unions. Also, recruitment by Scottish Government for a permanent Chair and new Board members will begin imminently, with the intention to make those appointments early in 2021.

RECOMMENDATIONS

Members are invited to discuss and note the content of this report.