



## Authority Meeting

23 May 2024

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Minutes of the Authority Meeting held on Thursday 21 March 2024 at COSLA, Edinburgh

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Board Members present:	Martyn Evans (Chair) Jane Ryder (Vice Chair) Paul Edie Tom Halpin Alasdair Hay Katharina Kasper Fiona McQueen Grant Macrae Michelle Miller Mary Pitcaithly Catriona Stewart Caroline Stuart
Board Member apologies:	None
In attendance:	<b>Scottish Police Authority (SPA)</b> Lynn Brown, Chief Executive Karen Vallance, Governance Support Officer  <b>Police Scotland</b> Chief Constable Jo Farrell Deputy Chief Constable Malcolm Graham Deputy Chief Constable Jane Connors Deputy Chief Constable Bex Smith James Gray, Chief Financial Officer Tom McMahon, Director of Strategy and Analysis Patrick Brown, Head of Finance (Item 7)

	<b>Forensic Services</b> Fiona Douglas, Director
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## **1. WELCOME AND STANDING ITEMS**

The Chair opened the meeting and welcomed all Authority Members and representatives from Police Scotland’s senior leadership team.

The Authority **RESOLVED** to:

- **NOTE** no apologies.
- **NOTE** no declarations of interest or connections.
- **NOTE** no other business.
- **AGREE** that, in accordance with paragraph 20 of the SPA Standing Orders, the Board would consider item 9 in private for the reasons set out on the agenda.
  - Item 9 – Draft Minutes from 22 February 2024 and 29 February 2024.

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

The Authority **RESOLVED** to:

- **ADOPT** the minute of the 22 February 2024.
- **NOTE** no decisions were taken via correspondence since the last full Authority meeting in February 2024.

## **3. SPA CHAIR’S REPORT**

The Chair noted this was the final Authority Meeting of Members Jane Ryder and Michelle Miller. He thanked both for their contribution over the previous six years.

The Chair also congratulated DCC Malcolm Graham (DCCGraham) on his upcoming retirement and wished him well for the future. Chief Constable Jo Farrell (CCFarrell) echoed the Chair’s comments and thanked DCCGraham for his contribution to Police Scotland.

The Board **RESOLVED** to:

- **NOTE** the report.

#### **4. COMMITTEE CHAIRS' REPORT**

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

- Police Negotiating Board Scotland
- Complaints and Conduct Committee
- People Committee
- Policing Together Oversight Group
- Resources Committee
- Policing Performance Committee

In addition to the written reports provided, the following matters were raised:

- CCFarrell commented on the proportionate response to crime pilot, noting it was part of a shift from reacting to high volume, low risk areas, towards an opportunity for problem solving to improve demand. It is not a policy of no investigation of minor crime, but an assessment as to whether there are any lines of enquiry, which is not new in policing. CCFarrell welcomed the scrutiny and support from the Policing Performance Committee and committed to reporting on evaluation and further learning, which the Chair supported.
- CCFarrell commented on new hate crime legislation, stating it was an example of how new legislation can add additional demands. CCFarrell stated that Police Scotland was familiar with enforcing new legislation and providing officers with training and guidance so they can apply law in a measured way, highlighting COVID-19 as an example. CCFarrell highlighted that Police Scotland is a rights-based organisation and officers balance the human rights of individuals with enforcement of the law daily. Police Scotland will always take hate crime seriously and investigate complaints. CCFarrell highlighted that hate crime champions are in place who can advise frontline officers on the legislation.
- Members noted that when hate crime is reported, it is an alleged crime and questioned the resource impact of this. CCFarrell responded that the initial response considers the volume and type of crime, with quality assurance around those reports so the legislation is applied proportionally and consistently.
- Members noted that the proportionate response to policing is looking to move from high volume low risk to other matters, but the position on hate crime is that all reports will be investigated.

CCFarrell was questioned how these can be balanced, to which she responded that the proportionate response to crime involves an assessment of the victim to establish whether they have any vulnerabilities. If there are no vulnerabilities and there are no lines of enquiry, officers will not meet them.

- Members noted there was a difference in opinion between Scottish Government and some in the judicial sector on whether there are sufficient safeguards to allow freedom of expression. There also was a concern that investigation can become the punishment, therefore some people may not want to express an opinion for fear of a police investigation. CCFarrell was asked to comment on both matters. In relation to freedom of expression, CCFarrell stated it is one of the human rights Police Scotland uphold and it runs through policing cultural norms and legislation application. Legislation and training reinforce that people can express a view without it becoming a criminal offence. The balance of both is guarded through training, officer experience, quality assurance of application and evaluation. The Chair requested regular reporting on the application of the hate crime legislation through a formal governance Committee, with updates to the full Authority Meeting from CCFarrell.
- Members were assured there were strong divisional structures in place to manage local crime, by responding to local needs and using data to understand crime types. DCC Bex Smith (DCCSmith) provided an example, explaining an App has been introduced in Fife, where shop owners can report shoplifting and upload CCTV images to help build an intelligence picture of local issues.
- Members sought comment on whether there were mechanisms in place to routinely identify and share best practice across local areas. CCFarrell responded that a key aim of the new performance framework is the ability to identify where strong performance and good practice is, to elevate and apply nationally. Presentation of local detail allows recognition of excellent work to generate positive public impact.

The Board **RESOLVED** to:

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

Updates in relation to the application of hate crime legislation to be reported through a formal governance Committee, with updates to the full Authority Meeting from Chief Constable Farrell.

## 5. CHIEF CONSTABLE'S REPORT

CCFarrell provided a detailed summary of her report, specifically drawing attention to the following areas:

- Independent Public Inquiry following the conviction of Iain Packer
- Annual Police Plan and performance reporting
- Major investigations and convictions
- Prevention problem solving and proactivity.
- Supporting officers and staff
- Taser uplift progress
- Funding for 2024/25

In discussion the following matters were raised:

- The Chair confirmed the Authority welcomed the statutory Independent Public Inquiry and encouraged officers to be well prepared, candid and open in their response.
- The Chair reflected on CCFarrell's confirmation that the revenue budget for 2023/24 is on track to balance without the need for contingency funding, noting it was a considerable achievement. The Chair praised the Senior Leadership Team, specially DCC Alan Speirs, James Gray (JGray) and Katy Miller for the work undertaken to bring it back into balance, while explaining the operational consequences of related decisions.
- Members sought assurance that there were appropriate levels of deployment of road policing vehicles. CCFarrell confirmed there was a commitment to road policing capability, with focus on prevention and partnership working. DCC Jane Connors (DCCConnors) advised road policing was included in resource prioritisation work and a review would be undertaken, but investment continues and HMICS were due to undertake a review. DCCConnors confirmed there was night cover of roads policing.
- Members sought further comment on the enhanced CCTV survey in Aberdeen, specifically in relation to facial recognition. DCCSmith confirmed that the Biometrics Commissioner is supportive of the CCTV use and confirmed the facial recognition aspect is not currently being used. CCFarrell stated that facial recognition in other jurisdictions had highlighted lessons learned in respect of privacy, but confirmed consultation was open and the aim was to ensure people have full sight of how it would be used. The Chair requested the Chair and CCFarrell sign the existing MOU relating to new technology and its deployments.
- Members sought comment on lessons already learned and improvements already made following the Emma Caldwell

investigation. CCFarrell responded that recent work ensures Police Scotland can deliver for girls and women who are subject to violence and the new performance framework will shine a greater light on the ability to respond to these types of crimes, but acknowledged there was still more to do. CCFarrell stated that the response to violence against women and girls has to be more than enforcement as it is an issue across UK society. DCCSmith added there had been huge progress on major investigations and tackling violence against women and girls since 2005 and there are strong partnership networks to build on. A tiered response not seen elsewhere is used but improvements to first instance responses was required. DCCSmith encouraged anyone who has been the subject of violence to report it.

- Members sought comment on decision making processes for taser and baton use. CCFarrell advised that taser use protects the public and officers, and an extensive officer training programme is undertaken which is scenario based and focuses on human rights and de-escalation. Officers have fed back that the presence alone helps de-escalate situations. CCFarrell advised that assessments are made in terms of threat and data is gathered in relation to age, gender and the circumstances around the use or presentation.
- Members welcomed the establishment of the Neurodiversity Strategic Working Group.
- Members sought progress on the current VR/VER process and heard VER applications were greater which had been expected, and work was ongoing through a comprehensive process to identify who could be released.

The Authority **RESOLVED** to:

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

Chair and Chief Constable Farrell to sign the existing MOU relating to new technology and its deployments.

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## **6. SPA CHIEF EXECUTIVE'S REPORT**

Members considered the report which detailed activities involving SPA corporate staff since the previous Authority Meeting. Lynn Brown (LBrown) highlighted a number of key points as detailed in the paper including the finalisation of the SPA Annual Delivery Plan; mental health impact and demand on policing; and the British Transport Policing Railways Policing Committee.



The Authority **RESOLVED** to:

- **NOTE** the report.

## **7. SCOTTISH POLICE AUTHORITY BUDGET 2024-25**

Members considered the report which presented the proposed 2024-25 revenue, capital and reform budgets. JGray commented that the budget was lower risk compared to 23/24, in terms of delivery, and whilst there was an increase in capital, it was still not sufficient to meet the ambitions of estates and technology. Patrick Brown highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- Grant Macrae (GMacrae), Resources Committee Chair, confirmed the Committee had discussed the budget in detail and asked for supplementary analysis which is included within the presented report. The Committee had acknowledged the uplift in capital budget but sought assurance that the change portfolio tasks reflect the Senior Leadership Team's priorities.
- GMacrae confirmed the Resources Committee were content to recommend the budget for approval.
- Members sought information on how change projects are consulted on and prioritised. CCFarrell responded it was envisaged that the capital allocation would be fully utilised and proposed spend was agreed after considerable consultation. DCCConnors summarised the various aspects which are considered when prioritising spends, including deliverability and impact.
- CCFarrell, LBrown and Fiona Douglas all confirmed the budget would provide sufficient resource to keep the Scottish public safe.
- As Accountable Officer, LBrown noted last year's budget had more risk, and opportunities to make savings throughout the year wasn't as fast as it should have been. Less risk in this year's budget was in part due to the advocacy from the Chair and CCFarrell with Scottish Government. However, the ability to deliver the revised model of policing is now the expectation. LBrown praised the approach of leaders taking advice from subject matter experts, and concluded it was a positive way of working.
- The Chair questioned what engagement had taken place with organisations impacted by the change in charging for events.

DCCConnors confirmed they were advised of changes via written correspondence, and this was then followed up with a MS Teams meeting where partners could ask questions. DCCConnors confirmed charges were full cost recovery and no profit was made.

The Authority **RESOLVED** to:

- **AGREE** the SPA draft budget for 2024-25.
- **AGREE** the schedule of rates for events and other services for 2024-25.

## **8. Annual Police Plan**

Members considered the report which presented the draft version of the Annual Police Plan 2024/25. CCFarrell highlighted a number of key points as detailed in the paper, and Tom McMahon confirmed Police Scotland will continue to work with the Policing Performance Committee to develop and report on progress.

In discussion the following matters were raised:

- Alasdair Hay, Policing Performance Committee Chair, confirmed the Committee Members had had an opportunity to look at the draft prior to the Authority Meeting. Committee Members agreed it reflected the organisations priorities and focused on change and improvement, which the Chair welcomed.
- CCFarrell confirmed there was an increasing opportunity for people to communicate with Police Scotland, and the organisation would continue to determine whether progress was being made in respect of culture.

The Authority **RESOLVED** to:

- **NOTE** the report.

In closing, the Chair invited DCCGraham to make any final comments. DCCGraham thanked the Chair and CCFarrell for their previous remarks and wished SPA and Police Scotland the best for the future.





## Authority Meeting

23 May 2024

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Minutes of items taken in private at the Authority Meeting held on Thursday 21 March 2024 at COSLA, Edinburgh

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Board Members present:	Martyn Evans (Chair) Jane Ryder (Vice Chair) Paul Edie Tom Halpin Alasdair Hay Katharina Kasper Fiona McQueen Grant Macrae Michelle Miller Mary Pitcaithly Catriona Stewart Caroline Stuart
Board Member apologies:	None
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	<p>Tom McMahon, Director of Strategy and Analysis</p> <p><b>Forensic Services</b> Fiona Douglas, Director</p>
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**9. STANDING ITEMS**

The Authority **RESOLVED** to:

- **ADOPT** the minute of the 22 February 2024 meeting.

