



SCOTTISH POLICE FEDERATION WEST AREA COMMITTEE

West Area Committee Conduct Committee

Ref: MM/JC/LW

Minutes of the West Area Conduct Committee Meeting held on 7 January 2016 at 10 am within Merrylee House

1. Attendance

Andy Smith (temp Chair)
Jim Foy (National Conduct Secretary)
Paul Connelly (temp Secretary)
Scott Wilson
Stuart Finnie
Lorna Hogarth
Gary Kirkwood
Joe Conway

Apologies

Gary Mitchell
Phil Maguire
Amar Shakoor
Graham Gosling

2. Opening of meeting

Andy Smith continued in the role of Temporary Chair in the continued absence of Graham Gosling. He requested nominations for the role of Temporary Secretary in the absence of Gary Mitchell who had been called away at short notice. Paul Connelly was appointed as Temporary Secretary for the duration of the meeting.

3. **Adoption of Standing Orders**

Standing Orders were adopted for the duration of the meeting

4. **Minutes of previous meeting**

The minutes of the previous meeting held at 10am on 27 October 2015 were accepted as a true and accurate reflection of same and would now be circulated to the WAC.

5. **Matters Arising**

Complaints about the Police

The temporary Chair delivered an update on behalf of the Secretary that numbers of CAPS were still rising with figures for the West as follows.

Criminal on Duty 86

Criminal off Duty 54

Misconduct on Duty 66

Misconduct off Duty 40

The National Conduct Secretary updated the meeting that there were still significant delays being experienced with CAPD. There are currently 31 officers suspended within the West Area and a number of members had been arrested for off-duty issues over the festive period.

A point was raised asking if there were any plans to issue regulation advice cards for members similar to those issued some years ago. The National Conduct Secretary advised that this was being looked at as the advice to members on conduct matters had recently been updated and was due to be published on SPF website.

Conduct

The Chair delivered an update on behalf of the Secretary that the previous good working relationship with PSD is continuing.

A number of cases were discussed where the standard of investigations fell short of what was expected. The National Conduct Secretary updated the meeting that the issue centred on Divisional Investigating Officers.

CCU

The Temporary Chair delivered an update on behalf of the Secretary advising that the Secretary had attended a recent meeting with CCU management which was fruitful.

A discussion ensued about "Good Samaritan Lifts" where vulnerable often drunk persons were taken home by the Police. The National Conduct Secretary updated the meeting that the force was unlikely to issue an official force policy. The discussion continued and the issue of giving certain prisoners and not others lifts home from custody was raised. The overall opinion of the group was that it was for individual Duty Officers to decide which prisoners needed to be taken home as they were responsible for prisoner welfare.

A point was raised about members being required to attend interviews with CCU. The National Conduct Secretary confirmed that the SPF position still stands that members can be required to attend at CCU but there is no requirement for them to submit to being interviewed. SPF preference is for CCU to submit their questions in advance for the member to elect whether to submit a written response.

Discussion also took place regarding the wording of a recent DCC's warning which included an adverse inference being drawn re the member electing to exercise their right to silence during the criminal stage of the enquiry. In the same enquiry disclosure of information from a third party was made to the member. The National Conduct Secretary will raise these two learning points at his next meeting with CCU.

Performance

Information received from The Secretary that he had no ongoing work in relation to performance. The National Conduct Secretary updated the meeting that the SPF has raised the matter with the Justice Committee. The SPF position is that Police Scotland is treating matters which should be performance issues under the conduct regulations. Only around ten officers in the force are being dealt with under Performance Regulations.

PAT

The National Conduct Secretary updated the meeting that there were currently two ongoing cases at PAT with one having been heard the previous month with a final result awaited.

PIRC

The National Conduct Secretary updated the meeting regarding some of the general complaints received regarding the conduct of PIRC investigators. Unfortunately members had not supplied details of the investigators concerned.

The National Conduct Secretary informed the meeting that he had compiled guidance on PIRC and that this had been circulated to office bearers. He will look to circulate this more widely.

6. Correspondence

No correspondence had been received.

7. Any Other Competent Business

Information received from the Secretary regarding mixed sex prisoner observations as he believed that this practice should have ceased. The meeting was updated that this matter had also been discussed at the Health and Safety Committee. It was queried whether this issue was a conduct matter.

The National Conduct Secretary raised the ongoing issue that members are making submissions during the early stages of misconduct investigations which are later used against them. He reiterated that the proper time to make submissions is after all other evidence has been collated.

8. Date of Next Meeting

The Chair informed the committee that the next meeting was scheduled for 14 April 2016 and he closed the meeting by wishing the members a safe onward journey.

Andy Smith
Temporary Chair

Paul Connelly
Temporary Secretary