



Scottish Police Federation
5 Woodside Place Glasgow G3 7QF

**Joint Central Committee
Conduct Subject Committee**

Ref: CS/DJK/LS

2 August 2016

MINUTES

1. Attendance

North Area Committee	John Crawford
North Area Committee	Karen Harrison
North Area Committee	Sandy Smart
East Area Committee	Stevie Herd
West Area Committee	Gary Mitchell
Deputy General Secretary	David Kennedy (meeting Chairman)
Conduct Secretary	Jim Foy
Business Administrator	Lesley Stevenson

Apologies were received from Stuart Finnie, Scott Meechan and Amanda Givan.

The Chairman opened the meeting by welcoming everyone to the Conduct Subject Committee meeting. He expressed disappointment that all areas were not fully represented at the meeting.

2. Minutes of Previous Meeting

The Minutes of the previous meeting had been circulated with JCC Circular 16 of 2016 and were approved.

3. Legal Assistance

The Conduct Secretary confirmed that there had been 29 criminal cases submitted since the last meeting on 12 April 2016. He gave updates on a number of recent meetings between members and solicitors and highlighted the benefits of the SPF representatives being involved in these meetings. The Conduct Secretary told the Committee that he was to arrange a meeting within the next month with three legal firms in the North Area regarding representation.

John Crawford asked whether members had to use our local solicitors or if they could use a solicitor from our national panel. The Deputy General Secretary informed the Committee that the allocation of cases to solicitors is a matter for the JCC however, representation

in the majority of criminal cases for the initial interview is normally by one of our local solicitors.

4. Complaints against the Police

The Conduct Secretary told the Committee that he had attended an SPA Complaints and Conduct Sub Committee meeting on 18 May 2016. DCC Livingstone was also in attendance.

He stated that the total number of complaint cases recorded by Police Scotland in the last quarter was 1674, a decrease from 1702 in the corresponding quarter the previous year.

The number of complaint cases in the North decreased by 6.4%.

The number of complaint cases in the East increased by 3.5%.

The number of complaint cases in the West decreased by 4.4%.

The total number of allegations recorded in the quarter was 2464, a decrease of 14.9% from the previous year. It was again noted that complaints had levelled out in line with predictions due to the frontline resolution desk being in operation for some time.

5. Conduct

The Conduct Secretary said that the total number of live cases being monitored by the leads was 320. There were 52 in the North, 73 in the East and 195 in the West. It was noted that the recording system had changed since the last meeting which had caused a reduction in the numbers and it was hoped that this would continue.

Since the last meeting there had been two misconduct hearings; one in the East and one in the West. One was not upheld and the other was deemed not to have been misconduct. There had been five misconduct meetings; one resulted in a final warning, one verbal warning, one improvement action and two resulted in allegations not being upheld. A further case was deserted due to the successful challenge by the SPF that the matter was a performance issue as opposed to misconduct.

The Conduct Secretary told the Committee that he had recently written to Chief Superintendent Carol Auld asking that the SPF be involved in any review of the Conduct Regulations by PSD. As a result, he was invited to a meeting where several aspects of regulations were discussed. He gave a full update of that meeting to the Committee.

The Conduct Secretary told the Committee that some recent cases had been initially assessed as conduct as opposed to performance and gave examples where the SPF had successfully challenged this. It was noted that PSoS had not fully embraced the concept of the 2014 Regulations being designed to be less punitive than previous regulations and there was a lack of ongoing training for Chairs and those with delegated authority at divisions. As a result, the Secretary had written to DCC Livingstone raising concerns and a response was awaited. The Deputy General Secretary raised the issue of Conference 2017 and suggested that this could be an appropriate subject to raise there. This was agreed by the Committee and the Conduct Secretary was to meet with Area Leads to progress this matter and report back at the next Conduct meeting.

Since the last meeting, each Area Conduct Committee meeting had consisted of refresher training in the 2014 Regulations. This has increased the number of trained representatives available to assist in divisions. The format was new and feedback had been positive. Work was ongoing to produce a three day conduct training course for officer bearers and representatives.

6. Performance

Discussed at item 5 above.

7. Police Appeals Tribunal

It was noted that a recent appeal was now concluded and the appeal was dismissed. There were no outstanding matters at PAT stage.

8. Police Investigations and Review Commissioner

It was noted that the Conduct Secretary had attempted to arrange meetings with PIRC on several occasions without success. Further attempts would be made.

9. Vetting

The Conduct Secretary updated the Committee on recent discussions at the Vetting Group and said that recommendations from this group would be made to PSoS in the near future.

The Committee discussed recruitment vetting, the convictions policy, rejoin policy, 10 year vetting policy and management vetting suspensions. It was noted that concerns would be taken to the Project Board by the Deputy General Secretary and to the Vetting Group by the Conduct Secretary.

10. Competent Business

Gary Mitchell raised the issue of warnings and how they affect officers applying for promotion etc. This matter was discussed and it was agreed that the Conduct Secretary would ask DCC Livingstone to inform all that any warnings issued under the 1996 or 2013 Regulations shouldn't be used in themselves against an officer regarding promotion or transfer.

11. Closure

Date of next meeting: 11 October 2016

The Chairman thanked everyone for their contribution and wished them a safe journey home.