



Scottish Police Federation
5 Woodside Place Glasgow G3 7QF

**Joint Central Committee
Conduct Subject Committee**

Ref: CS/DJK/LS

12 April 2016

MINUTES

1. Attendance

North Area Committee	John Crawford
North Area Committee	Angus Morrison
North Area Committee	Sandy Smart
East Area Committee	Amanda Givan
East Area Committee	Stevie Herd
East Area Committee	Heather MacDonald
West Area Committee	Paul Connelly
West Area Committee	Gary Mitchell
West Area Committee	Andy Smith
Deputy General Secretary	David Kennedy (meeting Chairman)
Conduct Secretary	Jim Foy
Business Administrator	Lesley Stevenson

Apologies were received from Stuart Finnie, Scott Meechan and David Threadgold who were replaced by Paul Connelly, Heather MacDonald and Angus Morrison respectively.

The Chairman opened the meeting by welcoming everyone to the Conduct Subject Committee meeting.

2. Minutes of Previous Meeting

The Minutes of the previous meeting had been circulated with JCC Circular 5 of 2016 and following a minor amendment were approved.

3. Legal Assistance

The Conduct Secretary confirmed that there had been 35 criminal cases submitted since the last meeting on 19 January 2016.

The Deputy General Secretary explained that there had been minor amendments to the conduct form. When completed these should be submitted to the Area Leads.

He further explained that under the new scheme, SPF representatives were being invited to attend meetings between solicitors and members. The Conduct Secretary gave some examples where this had proved to be very useful to all parties. This was welcomed by the Committee.

4. Complaints against the Police

The Conduct Secretary told the Committee that he had attended a Complaints and Conduct Sub Committee meeting on 17 February 2016.

He stated that the total number of complaint cases recorded by Police Scotland in the last quarter was 1609, a decrease from 1692 in the previous quarter.

The number of complaint cases in the North increased by 15.2%.

The number of complaint cases in the East increased by 3.9%.

The number of complaint cases in the West decreased by 15.8%.

The total number of allegations recorded in the quarter was 2190, a decrease of 19.5% from the previous year. It was noted that complaints had now levelled out in line with predictions and should start to decrease now that the front line resolution desk had been operating for some time.

5. Conduct

The Conduct Secretary said that the total number of live cases being monitored by the leads was 354. There were 66 in the North, 68 in the East and 226 in the West. The Committee discussed this matter and the Conduct Secretary said he would review the recording criteria and would seek information from PSD re outstanding case numbers.

The Conduct Secretary told the group that he had recently attended an Investigating officers' course run by PSD covering all three areas in Scotland. A significant part of this course was the instruction that evidence of opinion/hearsay should be avoided wherever possible and that fresh statements should be noted in misconduct cases. It was noted that it was important that representatives ensure that statements included in the misconduct case be thoroughly checked for inappropriate content and where such was found, it should be challenged as early as possible.

Since the last meeting there had been nine misconduct hearings; five in the East, three in the West and one in the North. Two officers were dismissed, three received written warnings, one was found not proven and two were subject to a financial penalty. One officer resigned prior to the hearing taking place and one was admonished.

It was noted that a PSD review of the 2014 regulations was ongoing and it was agreed the Conduct Secretary would write to Chief Superintendent Carole Auld requesting federation involvement at an early stage in any such review.

The Conduct Secretary wished to place on record his thanks to the area leads for the quality of their work and commitment in representing members in gross misconduct cases who were facing the most severe of sanctions and for the successful results recently achieved.

It was noted that there were two appeals outstanding, one in relation to finding and one in relation to disposal. Another appeal against disposal had recently been held in favour of the member and an appeal against the appointment of an assessor had also been upheld.

The Secretary told the meeting that he had written to CCU outlining the SPF position that the Force could not impose any restrictions on an officer's decision to drive to or from work.

A discussion took place regarding the variations in practice where members had received a number of complaints within a 12 month period. It was agreed that the Conduct Secretary would speak to PSD regarding this practice and ensure consistency in approach.

Discussions took place regarding ongoing training matters.

6. Performance

It was reported that some divisions had recently been using performance regulations as opposed to misconduct regulations in appropriate circumstances. This was welcomed by members of the Committee who were firmly of the view that performance matters should be dealt with as such. However, there was clearly some way to go in this regard and it was obvious most divisions were not utilising the performance regulations correctly.

7. Police Appeals Tribunal

The outcome of one appeal was awaited. The Committee discussed the length of time taken by the Police Appeals Tribunal to make decisions.

8. Police Investigations and Review Commissioner

There were currently nine ongoing investigations.

Concerns had been raised regarding the demeanour and conduct of some PIRC investigators and the Conduct Secretary said he would raise the issue directly with them.

A short guide to PIRC powers had been forwarded to Area Secretaries for circulating to all representatives for their information.

It was noted that an input from PIRC had now been included in the Officer Safety Training programme. The Committee discussed this matter and it was agreed that the Conduct Secretary should form a small working party to look at the issue. Sandy Smart, Gary Mitchell and Stevie Herd would be the area leads.

9. Longevity of Warnings

As this matter had now reached a satisfactory conclusion, it was agreed to remove it from future agendas.

10. Competent Business

The Committee discussed Vetting and agreed that it should be added as a new item onto the next agenda.

11. Closure

Date of next meeting: 2 August 2016

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