



Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

Joint Central Committee Conduct Subject Committee

Ref: CS/DJK/LS

MINUTES

20 August 2013

1. Attendance

North Area Committee	Brian Dick
North Area Committee	John Ferguson
North Area Committee	Sandy Smart
East Area Committee	Steven Herd
West Area Committee	Jim Foy
West Area Committee	Philip Maguire
General Secretary	Calum Steele
Chairman	Brian Docherty
Conduct Secretary	David Kennedy
Deputy General Secretary	Robert Milligan (Meeting Chairman)
Vice Chairman	David Ross
Business Manager	Doug Keil
Business Administrator	Lesley Stevenson

Apologies were received from Gordon Dixon, Grahame Gosling and Ian Williamson

2. Opening of Meeting

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

The Conduct Secretary told the Committee that the local Area Conduct Committee meetings had taken place and that Minutes from the West Area had been received and that the others were awaited.

He also told the Committee that he had given local training inputs where an overview of Police Scotland Conduct Regulations 2013 was given.

3. Minutes of Previous Meeting

As this was the first meeting of the Conduct Subject Committee there was no minute of the previous meeting.

4. Legal Assistance

The Conduct Secretary told the Committee that all current criminal allegations against members are now with DAS (Defense Automobile et Sportive) and are moving in a positive manner.

He updated the Committee on “on duty” legal funding and said that a new application form to help coordinate all requests would be circulated.

Brian Dick said there had been some confusion about which procedure to use and welcomed the Conduct Secretary’s statement above. He was advised that although Levy McRae had been appointed by DAS local solicitors could be used provided that they were included in the approved list of solicitors.

The General Secretary raised the matter of delegation under the regulations and the Conduct Secretary said he would obtain further information at a meeting he was attending the following day.

The Deputy General Secretary told the Committee that the standard of legal advice and assistance applications had been poor recently and asked that Area Committee representatives and staff address this.

Jim Foy asked whether there should be a standard process across Scotland ie going through the Conduct Lead in each area. The Committee discussed this and agreed that it was a good way to proceed.

5. Complaints Against the Police

The Conduct Secretary gave an overview of the definition of what on duty complaints were and said a paper would be circulated after the meeting.

He told the Committee that statistics on the Police Authority website showed that the East and West areas had a decrease in complaints, but the North Area had an increase. The Committee discussed these statistics and it was agreed that John Ferguson and David Kennedy would liaise on this matter.

The Committee also discussed Operations Teal and Formic and the heavy commitment that would be required from local conduct representatives to manage this.

6. Conduct

The Conduct Secretary told the Committee that the new Conduct Regulations would be out for informal consultation that day and that they would be circulated when formally received.

The Federation Conduct Training dates have been set; 27-31 January and would be for all conduct representatives.

The Force would be training officers in relation to the new Conduct and Performance Regulations and it was hoped that this training would begin in January 2014.

The Force has also agreed that a local 15 minute input be given to all officers at musters regarding conduct and any emerging issues. A presentation is currently being adapted to be rolled out in conjunction with the new regulations. This will be presented locally by local conduct reps.

Federation Conduct Forms have now been updated and are available in hard or electronic copy. The Conduct Secretary told the Committee that it was imperative that these forms are completed and submitted as per the guidance that was circulated.

7. Efficiency

It was noted that the introduction of the new Performance Regulations in April 2014 would replace the Efficiency Regulations currently in place.

8. Police Appeals Tribunal

The Committee noted that one tribunal was currently awaiting a start date. Questions were raised about appeal timescales and the Conduct Secretary said he would address this in the forthcoming consultation.

9. Police Investigations and Review Commissioner

The Conduct Secretary reported that on 1st April 2013, the Police and Fire Reform (Scotland) Act 2012 brought together Scotland's eight police forces, the Scottish Crime and Drug Enforcement Agency and the Scottish Police Services Authority. At the same time, the remit for the Police Complaints Commissioner for Scotland (PCCS) expanded to include investigations into the most serious incidents involving the police. To mark this change the PCCS was renamed the Police Investigations and Review Commissioner (PIRC). John Mitchell, PIRC Director of Investigations will be invited to the next meeting of the Conduct Subject Committee.

The Committee discussed the PIRC and it was noted that there was an issue in the former Tayside Force. It was agreed that any issues regarding PIRC should be forwarded to David Kennedy and the General Secretary would raise the matter again with the Cabinet Secretary for Justice and PIRC.

10. National Vetting

The Conduct Secretary reported that the National Vetting Group which had been previously disbanded was to be re-established in the future. A meeting with PSoS was being scheduled to establish protocols and the Conduct Secretary asked that issues be submitted to him.

11. Competent Business

Brian Dick raised the issue of communications and the expenses associated with carrying out conduct related work. It was agreed that the matter would be discussed at the JCC meeting in September.

12. Closure

Date of next meeting: 15 October 2013

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