



# Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

## Joint Central Committee Conduct Subject Committee

Ref: CS/DJK/LS

### MINUTES

21 January 2014

#### 1. Attendance

North Area Committee	John Ferguson
North Area Committee	Brian Dick
North Area Committee	Sandy Smart
East Area Committee	Steven Herd
East Area Committee	Gordon Dixon
West Area Committee	Jim Foy
West Area Committee	Philip Maguire
West Area Committee	Graham Gosling

Chairman	Brian Docherty
Deputy General Secretary	Robert Milligan
Vice Chairman	David Ross
Conduct Secretary	David Kennedy
Business Administrator	Lesley Stevenson

#### 2. Opening of Meeting

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

#### 3. Minutes of Previous Meeting

The Minutes of the previous meeting had been circulated and were approved.

The Conduct Secretary said that an Action Log would be included in future minutes.

#### 4. Legal Assistance

The Conduct Secretary gave an update regarding legal assistance. He said that a process had been agreed with the Deputy Chief Constable relative to applying for legal assistance from the Scottish Police Authority.

He said that he continued to review the process in order to ensure that the process was satisfactory for members involved.

He told the Committee that he had raised the matter of driving offences, particularly Section 2 and 3 cases as it appeared there were a lot of officers being reported for this offence. The Committee discussed this issue and the driving assessment, in particular the requalification policy. The Vice Chairman said he would raise this issue at the Health & Safety meeting later that day.

The Deputy General Secretary asked that all requests for legal advice and assistance were submitted with covering letters. This was noted by the Committee.

The Conduct Secretary asked that any information held by Area Committees on Section 2 and 3 cases was sent to him.

## **5. Complaints Against the Police**

The Conduct Secretary gave an update on complaints against the police and said that they were statistically on the rise in the East and North Areas but had decreased in the West Area. The Committee discussed targets and key performance indicators and complaints made relative to them. It was agreed that the Deputy General Secretary would monitor this situation.

## **6. Conduct**

The Conduct Secretary told the Committee that the latest Conduct Regulations were almost complete and he would circulate them when received. He gave an update to the Committee regarding misconduct hearings and findings since the last meeting. He told the Committee that he had asked that any appeal should be determined within 60 working days (3 months). He said that that Police Scotland had asked for exceptional circumstances to be considered in relation to timescales and the Conduct Secretary said that he would express the view that in any circumstances the absolute limit should be 120 working days (6 months). This was agreed.

A PSoS workshop would be held on 17 March in Pitt Street relative to the New Conduct Regulations and invitations would be sent shortly. It was agreed that Federation input to this was vital.

The Conduct Secretary reported that in December 2013 there had been four conduct hearings, the outcomes of which were two fined, one reprimanded and one required to resign. In January 2014 to date there had been one conduct hearing where the accused officer had been required to resign.

Members discussed the possible impact of increased use of Procurator Fiscal warning letters, statements of opinion, standard operating procedures, expert witnesses and training requirements.

## **7. Efficiency**

It was noted that this item should be entitled Performance in future agendas.

The Conduct Secretary circulated the draft performance regulations and asked for comments/observations by the end of the following day.

The Vice Chairman said he had concerns relative to the Attendance Management and Capability SOPs. The Chairman congratulated the Conduct Secretary for the work he had done on this matter which looked to have been taken on board.

#### **8. Police Appeals Tribunal**

The Conduct Secretary said that he was still awaiting dates for three cases. The Committee discussed Police Appeals Tribunals and the Chairman agreed to speak to the Police Authority on this matter.

#### **9. Police Investigations and Review Commissioner**

The Conduct Secretary gave an update and told the Committee that there were issues relative to members being informed when reports would be published on the PIRC website. It was agreed that the Conduct Secretary would speak to Audrey McLeod on this matter to ensure that he was informed within the recommended 5 day window.

#### **10. National Vetting**

There was nothing to report.

#### **11. Competent Business**

Brian Dick raised the matter of Corroboration and the Federation's position on it. The Vice Chairman said that the SPF may be invited to give further evidence to the Justice Committee.

Philip Maguire raised the issue of the training systems for domestic abuse and said that the training was unsuitable. The Conduct Secretary agreed to speak to Chief Superintendent John Thomson on this matter.

The Vice Chairman spoke about the Substance Misuse SOP in particular 'without cause random drug testing'. The Committee discussed this matter and the Chairman asked that a letter be sent to the Force expressing the SPF's view based on legal advice it had received.

The Conduct Secretary said he awaited an SOP on Social Media.

#### **12. Closure**

Date of next meeting: 22 April 2014

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