



# Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

## Joint Central Committee Conduct Subject Committee

Ref: CS/DJK/LS

### MINUTES

28 July 2015

#### 1. Attendance

North Area Committee	John Crawford
North Area Committee	Sandy Smart
East Area Committee	Brian Jones
West Area Committee	Gary Mitchell
West Area Committee	Phil Maguire
Deputy General Secretary	David Kennedy (meeting Chairman)
Conduct Secretary	Jim Foy
Business Administrator	Lesley Stevenson

Apologies were received from Amanda Givan, Stevie Herd and Scott Meechan.

#### 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 with JCC Circular 20 of 2015 and were approved.

#### 4. Legal Assistance

The Conduct Secretary told the Committee that there had been 29 criminal cases since the last meeting. He told the Committee that work was ongoing in relation to ending the current scheme, bringing legal advice and assistance back in-house and ultimately giving the SPF more controls, costing less and making it easier to monitor. The legal advice/helpline will be run in-house and should be up and running by 30 September 2015. Members asked about identifying solicitors across the country who could participate in the scheme. The Committee discussed the helpline generally and the Conduct Secretary asked members to identify to him any local solicitors who may be interested in participating. The Deputy General Secretary explained that Elaine Connor LLB, had been employed as a Legal Administrator and would start work in August. He further explained that initially, conduct leads would be on-call in relation to criminal matters.

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

The Conduct Secretary said the total number of complaint cases recorded by Police Scotland in the financial year to date had increased by 22.6%.

The number of complaint cases recorded in the North decreased by 8.5%

The number of complaint cases recorded in the East increased by 25.1%

The number of complaint cases recorded in the West increased by 43.3%

The Chairman said the total number of allegations recorded in complaint cases in the financial year to date by Police Scotland was 8631 with each unique complaint case containing 1.52 allegations. Quality of service accounted for 16% of all allegations. It was noted that although the overall number of complaints recorded was higher than last year, the number of complaints allocated to the Divisions for investigation was reducing thanks to front line resolution.

## **6. Conduct**

It was reported that the total number of cases being monitored by the SPF was 392; 88 in the North, 81 in the East and 223 in the West. 141 are related to on duty criminal allegations and 93 are off duty criminal allegations.

A recording system whereby area leads will be updating a database with results of all meetings/hearings will be set up in the near future.

It was noted that PSD were reviewing all forms in relation to the process and the Conduct Secretary was carrying out his own review on this matter. Following an appeal against disposal, changes are being made regarding Chairs having access to SCOPE records and a report from officer's supervisors (2 ranks above). The SPF have not agreed to this and they are aware that it could lead to an appeal if any report is in any way designed to have a negative impact or makes comment on the matter in hand. Representatives would still be able to challenge content.

The Conduct Secretary said several issues remained regarding errors in procedure including Chairs being asked to serve paperwork; Chairs being appointed when they already had an involvement in the case; timescales not being properly adhered to; disposals being inappropriate; allegations being wrongly worded and non-disclosure of documents. He further said it is clear that some training issues exists in relation to officers appointed as Chairs. It is believed further training is to be provided. The Conduct Secretary hopes to have an input at any such training.

The Conduct Secretary said there had recently been two misconduct hearings and six misconduct meetings – one case was not proven; one officer was deducted two pay increments; four received written warnings and two received verbal warnings. Two officers in the West area resigned under Regulation 11 and a further officer resigned following the service of misconduct papers.

Phil Maguire said he had been advised by a Superintendent not to utilise a character reference. The Conduct Secretary said this should not have happened and that he would look into the matter.

The Committee discussed the number of cases, the requirement for training and appropriate inputs to line managers' courses.

#### **7. Performance**

It was noted that there were currently no performance issues outstanding.

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

It was noted that currently there were two appeals ongoing.

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

The Conduct Secretary told the Committee that there were five live investigations ongoing.

It was noted that there had been several issues identified and addressed in part following the death in custody in Kirkcaldy. It was noted that the Conduct Secretary would seek to arrange a meeting with John Mitchell on his return from leave to discuss this.

Members discussed the resources required by conduct representatives and the Conduct Secretary said he would look into this matter.

#### **10. Longevity of Warnings**

It was reported that the Conduct Secretary had received a letter from John Gillies regarding how long a warning remained 'live' and the impact the warning would have on promotion etc. The letter was read out to the Committee and it was agreed that the Deputy General Secretary would seek a meeting with Peter Blair. The Conduct Secretary said he would raise the matter again with PSD.

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

There were no items.

#### **12. Closure**

Date of next meeting: 29 September 2015

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