



Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

Joint Central Committee Conduct Subject Committee

Ref: CS/DJK/LS

MINUTES

29 July 2014

1. Attendance

North Area Committee	John Ferguson
North Area Committee	Brian Dick (By VC)
East Area Committee	Gordon Dixon
West Area Committee	Jim Foy
West Area Committee	Philip Maguire
West Area Committee	Graham Gosling
Deputy General Secretary	Robert Milligan (meeting Chairman)
Chairman	Brian Docherty
Vice Chairman	Graeme Ednie
Conduct Secretary	David Kennedy
Business Administrator	Lesley Stevenson
WAC Observer	Scott Wilson

Apologies were received from Sandy Smart and Steven Herd.

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.

4. Legal Assistance

The Conduct Secretary reminded the Committee that if legal advice/assistance was being sought regarding misconduct cases, the member is being asked in the application form to provide a statement of fact giving as much detail as possible. This is to assist a proper assessment of the case. Members discussed the decision making process, the DAS scheme relative to criminal enquiries, operational statements and costs. They also discussed how legal advice/assistance should be operated in the future.

5. Complaints Against the Police

The Conduct Secretary gave the Committee statistics from the SPA on complaints against the police and it was noted that they had increased slightly in all Areas.

The Committee briefly discussed complaints in relation to the Commonwealth Games. It was noted that there may be a training requirement for temporary/newly promoted sergeants and inspectors and this had been raised with DCC Richardson.

The Committee also discussed conduct complaints relative to social media. It also discussed operational statements and the Conduct Secretary said it was important that members knew that in criminal cases there was no scope for operational statements, rather, there could be interviews under caution.

6. Conduct

The Conduct Secretary reported that the SPF Chairman had circulated a memo from ACC Derek Robertson relative to social media during the Commonwealth Games. The Committee discussed this issue and the Conduct Secretary said he would keep the Committee informed if/when any issues arose.

The Conduct Secretary told the Committee that he had a recent meeting with Duncan Campbell relative to Regulation 12 of the Police Scotland Conduct Regulations 2014. Police Scotland had adopted a statement which SPF were in disagreement with because it seemed to follow arrangements in England & Wales which were not applicable in Scotland. It was hoped that this issue would be resolved in the near future. A response was awaited from Mr Campbell.

The Conduct Secretary told the Committee that he had spoken with Police Scotland regarding several training issues including report writing and statements; further discussion will be taking place relative to this matter.

7. Performance

The Conduct Secretary gave an update on the current status of the Performance Regulations and the Committee discussed issues around the implementation of the new Regulations. There was one appeal ongoing. The Committee discussed training for representatives and were informed that the next stage would be progressed after the Commonwealth Games.

8. Police Appeals Tribunal

The Committee was informed that there was currently one appeal ongoing. The Conduct Secretary told the Committee that the Scottish Government was looking to change the make-up of the Management Panel. The Committee discussed this issue and agreed to monitor the situation.

9. Police Investigations and Review Commissioner

It was noted that the Chairman and Conduct Secretary had recently met with Kate Frame, the new Commissioner. The Committee discussed recent investigations and the learning outcomes published by the PIRC.

Brian Dick asked if there had been any feedback relative to the PIRC Survey. The Conduct Secretary said he awaited the information but told the Committee that the PIRC have asked to attend the Area Committees to highlight who they are and what they do.

10. National Vetting

The Committee was informed that Clark Cousins had been appointed the Chief Superintendent of the Counter Corruption Unit. It was suggested that he should also be invited to attend the Area Committees in the near future.

11. Domestic Abuse Training

The Conduct Secretary told the Committee that he had attended the office of Philip Maguire who had initially raised this issue and viewed the Domestic Abuse system there. The Committee was informed that officers now use a pro-forma document with 20 questions to help them when dealing with domestic incidents. It was agreed that this matter could be removed from future agendas.

12. Reclassifying Offences

The Conduct Secretary said that this matter was ongoing and he hoped to provide an update at the next meeting. The SPF Chairman suggested that HMIC may be interested in this subject and it was agreed that HMIC Derek Penman would be contacted relative to this matter.

13. Competent Business

It was agreed that Chief Superintendent Ellie Mitchell, Head of Professional Standards, would be invited to attend a future Conduct Subject Committee meeting. The Conduct Secretary told the Committee that there was a Data Protection Form being introduced which would generally be for use by Office Bearers when asking Police Scotland to access data relating to a member.

14. Closure

Date of next meeting: 14 October 2014

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