



Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

Joint Central Committee Minutes

Ref: CS/LS

Minutes of the Joint Central Committee meeting held at the Hilton Grosvenor Hotel, Glasgow on Tuesday 13th and Wednesday 14th March 2012.

1 ATTENDANCE AND OPENING

Calum Steele (General Secretary)	-	Northern
Brian Docherty (Chairman)	-	Strathclyde
Robert Milligan (Deputy General Secretary)	-	Dumfries and Galloway
David Ross (Vice Chairman)	-	Northern
John Adams	-	Dumfries and Galloway
Alistair Black (Day 1 only)	-	Tayside
John Crawford	-	Northern
Gordon Dixon	-	Lothian and Borders
Graeme Ednie (Day 1 only)	-	Northern
John Ferguson	-	Tayside
Amanda Givan	-	Fife
David Hamilton	-	Tayside
Blair Henderson	-	Strathclyde
Peter Jones	-	Grampian
David Kennedy	-	Strathclyde
Mike Kennedy	-	Grampian
Andrea MacDonald	-	Strathclyde
Malcolm MacDonald	-	Strathclyde
Murdo MacLeod (Day 1 only)	-	Northern
Andy McIntyre	-	Central Scotland
Scott McCallum	-	Fife
Iain McGregor	-	Central Scotland
Raymond McLeary	-	Strathclyde
Garey Miller	-	Dumfries and Galloway
Jackie Muller	-	Lothian and Borders
Ian Muir	-	Fife
Graham Neilson	-	Strathclyde
Stewart Ross	-	Central Scotland
Stewart Sandilands (Day 1 only)	-	Lothian and Borders
Graham Sloan	-	Grampian
Donald Walker	-	Dumfries and Galloway

The Chairman opened the meeting by thanking everyone for their attendance. At this his first meeting he thanked the members of the Committee for their messages of support and also Les Gray for his time as Chairman.

He welcomed Donald Walker, Amanda Givan, Graham Sloan, Malcolm MacDonald and Alistair Black who were attending their first meeting since being elected onto the JCC and Murdo MacLeod who was replacing Willie MacLennan. Jim Foy, John Drysdale, Martyn Turner and David Cummings attended the meeting as observers.

Standing Orders were adopted.

The Separate Central Committees met between 10 and 11am.

2 MINUTES OF PREVIOUS MEETING

The Minutes were adopted as a true record of the proceedings.

3 LEGAL ADVICE AND ASSISTANCE

The Deputy General Secretary informed the Committee that since the last JCC meeting, 8 new files had been forwarded to the solicitors; two injury cases (05-12 & 09-12), three medical appeals (06-12, 07-12 & 10-12), one fatal accident inquiry (08-12), one Health and Safety (11-12) and one Regulation 13 case (04-12).

The Deputy General Secretary circulated a check list that had been prepared as an aide-memoire for JBB Secretaries and others considering applications for legal advice and assistance. The Committee agreed this was a useful document. He thereafter reported on the revised guidance on legal advice and assistance which appeared in the SPF diary and had been circulated in advance of the meeting. He advised this had been updated as follows to take cognisance of developments in this area over recent years.

GUIDANCE TO LEGAL SERVICES FROM THE SCOTTISH POLICE FEDERATION

Introduction

The provision of legal advice/assistance to members, retired members and dependants, is one of the most important functions of the Scottish Police Federation. Such advice/assistance is paid for by members' subscriptions. It is impossible, in either the Federation Rules or these Guidance Notes, to describe every set of circumstances where legal advice/assistance may be granted.

Legal advice/assistance from Federation Funds is determined in terms of Regulation 16 of the Police Federation (Scotland) Regulations, 1985 and Rules 22 and 26 of the Police Federation (Scotland) Rules, 1985. These Guidance Notes are issued as further guidance in respect of these Rules to clarify matters from the authority granted in the Police Federation (Scotland) Rules to the Joint Central Committee.

What Is Covered?

The Federation regularly provides legal advice/assistance in connection with cases of road accidents, discrimination, defamation, employment tribunals, injuries on duty and conduct. Further information on some of these matters is contained in these Guidance Notes.

What Is Not Covered?

Federation Funds will not be used to support a member against whom a criminal charge or offence has been brought. Officers charged with a crime or offence allegedly committed while on duty may receive legal advice/assistance from the Police Authority. Further information on this can be obtained from your Joint Branch Board Secretary. Legislation debars the Federation from using its funds in connection with individual cases of promotion or appraisal

or for purely operational matters.

Who Decides What Is/Is Not Covered?

The Joint Central Committee, its General Secretary, office bearers or officials in their absolute discretion. The absolute authority in the determination and application of the Scottish Police Federation Voluntary Fund rests within the Police Federation (Scotland) Rules 22 (2) (f).

Discretion

In exercising discretion the Federation will take the following factors into account:-

- potential benefit to the member.
- potential benefit to the membership as a whole.
- whether any available alternatives have been exhausted.
- likely costs of providing the legal advice and/or assistance.
- prospects of success as per legal advice (less than 50% not supported)
- the moral and ethical aims and objectives of the organisation and the interests of the Federation as a whole.
- other relevant matters.

Who Is Covered?

- Contributing members of the voluntary fund
- Retired members (see Rule 22 (2) (f) (ix))
- Dependants (see Rule 22 (2) (f) (ii) & (vii))

Federation Solicitors

As determined by the Joint Central Committee, the Federation Solicitors are the firms of Hughes Dowdall, Levy & McRae and Russell Jones & Walker.

How Do I Apply For Legal Advice/Assistance?

To apply for legal advice/assistance, members, retired members of dependants, must do so through their Joint Branch Board Secretary who will forward the application to the General Secretary of the Joint Central Committee. Applications should be accompanied by a letter from the applicant detailing the circumstances and making clear the action being sought. The application form must be signed by the Joint Branch Board Secretary and a mandate form must be signed by the applicant and a witness.

Will This Cost Me Anything?

In the vast majority of legal cases there will be no charge to the applicant. In all instances where cases are unsuccessful there will be no charge to the applicant. Where a final award is over £10,000 (or exceeds any original award by £10,000 in CICA cases) a sum of 10% of the award or the cost of legal expenses, whichever is the lesser, shall be recoverable by the Joint Central Committee.

Legal Representation at Misconduct Hearings

- (i) As soon as an accused officer makes an election in terms of Regulation 9 or 9A of the Police (Discipline) (Scotland) Regulations 1967 or Regulation 6 or 11 of the Police (Conduct) (Scotland) Regulations 1996 and it is desired to make use of Federation funds to obtain the services of a solicitor, he shall advise the Joint Branch Board Secretary who in turn shall write to the General Secretary of the Joint Central Committee to initiate the necessary action with the Federation solicitors.
- (ii) In Police Discipline/Conduct cases arising from an officer's court appearance the same nominated solicitor may be used to represent him/her at a subsequent misconduct hearing. Fees in relation to such cases will be paid at the rates set out in the Memorandum of Understanding.

- (iii) The provisions of the services of an Advocate in any case will only be considered in exceptional circumstances by the Joint Central Committee at the request of the Federation or nominated solicitor.
- (iv) In each case, where a solicitor is obtained to represent an officer at a misconduct hearing, no legal expenses shall be paid by the Federation unless such expenses have been duly sanctioned via the General Secretary in writing to the solicitors.

Appeals against Conduct Disposals

Legal assistance may be provided for the preparation or submission of an appeal statement or representation at an appeal hearing at the absolute discretion of the Joint Central Committee.

Criminal Injuries Compensation Authority

Applicants must submit their application to the Authority through their Joint Branch Board Secretary. Before submitting an application an applicant should ensure that the injuries sustained meet the CICA criteria for a minimum award. A record of all related correspondence should be maintained by the Joint Branch Board Secretary so that the Federation solicitors may be properly briefed in the event of an appeal. The Joint Central Committee will not normally support an appeal where an applicant has not submitted the initial application through the Joint Branch Board Secretary as described above.

In general, CICA appeal applications will be forwarded from the General Secretary to the Federation solicitors requesting legal advice only in the first instance. Legal assistance will be primarily dependent on that advice.

Employment Tribunals

The Federation may provide legal advice or assistance in connection with Employment Tribunals. Before making application for such advice or assistance, applicants should discuss with their Joint Branch Board Secretary whether Force procedures such as Grievance Procedures have been exhausted and whether assistance could be obtained from the Police Authority. Representation at tribunals may be provided by a Federation representative or a solicitor dependent on the circumstances of the case.

Fatal Accident Inquiries

It may be necessary for an officer who has been involved in an on duty incident and is to be a witness at a Fatal Accident Inquiry (where the officer could possibly be held culpable) to apply to the Police Authority for legal assistance for representation separate to that provided for the Chief Constable. Where such an application has been refused or deferred an officer may be granted assistance from the Federation solicitors until such time as the Police Authority assumes responsibility.

Defamation

Police officers are rightly aggrieved when a false or malicious complaint is made against them or an unfair press article is published about them. The Federation would clearly wish to be in a position to support officers in these situations and seek redress on their behalf. However, there are many legal and other problems encountered in supporting such actions, the main ones are outlined below:-

1. Necessity to prove that a complaint was not only false and defamatory, but also **deliberately** malicious.
2. Qualified privilege, i.e. the citizens right to make a complaint against a public servant.
3. There needs to be some tangible, quantifiable impact or financial loss.
4. Very lengthy legal processes, very high legal costs and very minimal damages.
5. Complainers are often 'men of straw.'

Conclusion

The Scottish Police Federation seeks to provide a valuable and responsible legal advice or assistance service to its members, retired members and their dependants. Federation resources are finite and while every effort will be made to help those in need we have a responsibility to the whole membership to manage the Voluntary Fund on behalf of everyone, both individually and collectively. In some cases potential legal costs far outweigh any potential benefit either for the Federation or the individual and such cases cannot be supported for the above reasons. Unfortunately, legal cases are rarely resolved quickly and many run on for a number of years. It is vitally important that officers receiving legal advice or assistance from the Federation keep in regular contact with their Joint Branch Board Secretary so that progress can be monitored.

The Deputy General Secretary explained that the Memorandum of Understanding between the SPF and the three firms of solicitors in respect of legal advice and assistance also required updating. He reported the unit price the SPF paid the solicitors had not increased for the last four years and proposed an increase from £15 to £16 per unit. This was an increase of 6.7% and was broadly in line with solicitor market increases over the corresponding period. He also explained it was necessary to amend the Memorandum to make it clear solicitors were obliged to seek authority before taking on significant actions in cases. A number of questions about the Memorandum of understanding were posed of the Deputy General Secretary and after receiving answers the Committee approved the changes.

The Deputy General Secretary explained that a matter relating to a solicitor who had been on the SPF's panel had been progressed to the Scottish Legal Complaints Commission. Information provided about timescales meant that the case would not be progressed as previously agreed.

Jackie Muller asked if legal advice and assistance rules made sufficient provision to cover officers involved in firearms incidents. The General Secretary advised the SPF rules provided absolute discretion but in addition members should be cognisant that on duty incidents should be covered by police boards and authorities. In addition the Cadder judgement had placed an obligation for initial solicitor provision on the police service. The General Secretary acknowledged however this provision in itself would not deal with cases where the officers had yet to become 'suspects' and this was an area which clearly required to be addressed. Members thereafter discussed the work undertaken by the previous Deputy General Secretary with ACPOS on developing a Memorandum of Understanding on this subject. The Deputy General Secretary agreed to re-examine this matter.

The General Secretary said that in future JCC minutes would refer to specific cases by legal case file number to assist the Committee track their progress.

The Deputy General Secretary reported on a recent significant settlement in a longstanding legal assistance case (file 71/07). The General Secretary advised the Committee the Deputy General Secretary was being exceptionally modest over his role in this settlement. He reported that due to the commitment of the Deputy General Secretary the final award had been 33% greater than would otherwise have been the case.

4 PNB

The General Secretary reported that the last meeting Police Negotiating Board on the 20th January 2012 had been heavily dominated by the Police Arbitration Tribunal (PAT) decision on the Winsor Part 1 proposals for England and Wales. The Committee noted that the Home

Secretary later ratified the PAT decision in full. The Federated Ranks Committee, the full Staff Side and the PNB itself noted a further delay in the publication of the Winsor 2 report which was now not expected 'till the end of January.

The only item directly relevant to Scotland was the proposal for a Police Negotiating Board Scottish Standing Committee. The Committee noted progress on this important aspect had been frustratingly slow due in part to a new civil servant in post and a developing understand of the PNB processes. The General Secretary reminded the Committee of the importance of this new standing committee especially in light of the expected Winsor 2 recommendation to replace the PNB with a Pay Review Body.

***Note:- The Winsor 2 report was published on the 15th March and recommendation 115 is; The Police Negotiating Board should be abolished and replaced by an independent police officer pay review body by late 2014.**

The General Secretary reported he had circulated JCC Circular 14 of 2012 on the subject of Pension contribution increases and this had 'ready reckoners' for the Pension Schemes. He acknowledged that there was universal disappointment at the move and advised the Committee of the enormous efforts that had gone into resisting the increases. Despite these efforts, the immovable obstacle in all of this had been the Westminster Government's threat that if increases were not passed on Scotland's block grant would have been reduced by a corresponding amount.

The General Secretary reported having received a letter from the Scottish Government proposing one additional day's annual leave in the leave year 2012/13 in lieu of a Public Holiday for the Queen's Diamond Jubilee. Andrea MacDonald pointed out that Strathclyde had already circulated an alternative arrangement. The Committee discussed this and other related matters and subject to clarification on the position of recruits, retirees and part time officers (and informing of the Strathclyde arrangement) agreed to accept the proposal.

Andrea MacDonald reported that the Inspectors' Central Committee had discussed the question of representation on the Gender Equality Work Life Balance Working Group and the Police Negotiating Board Staff Side. It was understood that Jackie Muller continued to represent the SPF on the working group but was now an additional member of the Staff Side and her attendance at meetings had to be paid by the SPF. Andrea felt that this arrangement should have been discussed by the Joint Central Committee and not just the Constables' Central Committee. The General Secretary explained that Jackie's attendance at working group meetings was paid for by the Police Negotiating Board but that the SPF met the cost of her attendance at the 4 Staff Side meetings where her attendance was considered appropriate in light of her commitment. He further explained the usual practice of staffing Police Negotiating Board Staff Side working groups. Mike Kennedy said he wished to confirm that the Inspectors' Central Committee did not in any way question Jackie Muller's skills and experience in this area but merely wanted to be sighted on Police Negotiating Board arrangements. Following the exchanges Mike Kennedy acknowledged the matter had now received appropriate consideration and needed no further discussion.

5 POLICE ADVISORY BOARD FOR SCOTLAND (PABS) AND GENERAL INTERESTS COMMITTEE

The General Secretary informed the Committee that there had been no meetings of PABS since the last meeting of the JCC. Additionally it was noted the Police and Fire Reform Bill

proposed the abolition of PABS and it was unclear what mechanism(s) would take its place. The General Secretary advised the future of PABS had been debated in a number of formal and informal arenas since the publication of the Bill and a strong emerging view was that in a single force structure non negotiable matters would be discussed both internally and externally with the Scottish Police Authority and other fora. In the recent past PABS (or working groups thereof) have given consideration to conduct, efficiency and police appeal tribunals and it was felt appropriate some forum should exist to cater for such matters in the future.

The last General Interests Committee meeting was held on 17 January. Minutes would be circulated when agreed by all parties.

6 FINANCE STANDING COMMITTEE

The budgetary forecast and accounts were circulated to the Committee in advance of the meeting. The General Secretary / Treasurer presented the voluntary fund accounts. He reported that overall the accounts were healthy showing a modest increase in income and modest reduction in expenditure. The General Secretary / Treasurer highlighted that further liabilities in terms of anticipated meeting costs due to police and federation restructuring; the Winsor 2 report and the requirement to expand office premises would likely occur in 2012. However these were difficult to quantify and would not show in the accounts as contingent liabilities for this reason.

He thereafter talked the Committee through the lines of income and expenditure providing additional detail in respect of these areas. He highlighted that the cost of PNB meetings had significantly increased due entirely to the number of additional meetings associated with the Winsor Review. The cost of other meeting had also increased largely due to the police restructuring agenda and that whilst legal expenditure was down overall there was an overstated contingent liability in 2010 from legal case 51-01 and the 2011 figure also reflected a contingent liability for legal case 06-09.

After responding to several questions the budgetary forecast and accounts were approved.

At the last meeting of the JCC it was agreed that the JCC Working Group on SPF Finance should become a re-established Finance Standing Committee. The Committee agreed that as a result of this change it was necessary that members be restricted to members of the JCC. Joint Branch Boards were asked to make the necessary changes.

The following recommendations had been submitted by the JCC Working Group on SPF Finance. The terminology in the following recommendations has been altered to reflect this change.

- in relation to reform, the JCC decides which body (JCC or some other group) will be responsible for negotiating contracts.
- the JCC selects Auditors, Bankers, and Investment Brokers.

The JCC approved the two recommendations above and appointed the FSC to take on these responsibilities. The JCC thereafter approved the following three recommendations;

- in future there will be one central budget as opposed to regional or area based budgets.
- it consider establishing a company limited with guarantee.
- the Finance Standing Committee examines all aspects of office bearers' remuneration.

The General Secretary advised the Committee he received correspondence from Erskine House and the Police Role of Honour Trust regarding a charity function. The Committee agreed to donate £500 for a table at the event. Members wishing to attend should inform the General Secretary.

The General Secretary explained to the Committee that he wished to explore further the engagement of two interns under the Government's Adopt an Intern Scheme to assist with the reform and restructuring work. He explained the minimum requirements of the scheme and after answering questions from the Committee it was agreed the General Secretary should engage up to two interns if considered appropriate.

6a ELECTION OF TREASURER

The JCC discussed the election of a Treasurer. A number of questions were raised relative to the legal implications of the role, how the individual would be paid, whether the role would be pensionable and what the individual's precise role would be.

The General Secretary said that it was not proposed at this time to alter the number of specified posts in accordance with the Police Federation (Scotland) Rules rather, it should be considered a question of role and not post. He highlighted that Jackie Muller undertook the role of equality lead and David Hamilton led on matters pertinent to Information Technology. The General Secretary reminded the Committee that the proposal had been unanimously endorsed by the finance working group on which all Joint Branch Boards were represented. He further reminded the Committee the sheer complexity of the financial issues before the Joint Central Committee up to and after the introduction of the Police Service for Scotland were so significant as to demand stand-alone consideration. After a lengthy debate the JCC decided to hold the election. Graham Neilson being the only nomination was declared elected.

7 EFFICIENCY STANDING COMMITTEE (ESC)

There was a meeting of the ESC on 21 February 2012. Minutes were distributed with JCC Circular 10 of 2012. This was noted by the Committee.

Members agreed to close the project record PR2011 - Licensing Scotland Act 2005.

8 WELFARE STANDING COMMITTEE (WSC)

There was a meeting of the WSC on 21 February 2012. Minutes were distributed with JCC Circular 10 of 2011. This was noted by the Committee.

9 JCC CIRCULARS ISSUED SINCE LAST MEETING

The Committee noted the paper. The General Secretary highlighted the issues associated with the Police and Fire Reform (Scotland) Bill, notably a number of Scottish Statutory

Instruments, would increase the number of circulars considerably. He further highlighted that many consultations would likely be received with short 'turn around' times. The Committee noted these comments.

10 FORCE REFORM

The General Secretary reported that a phenomenal amount of work had been done on reform since the last JCC meeting. He had given oral evidence to three Scottish Parliament Committees, met with Ministers, officials, other staff association office bearers and others on reform. He felt that ACPOS and its various workstreams had to some extent kept SPF in the margins. However, Chief Constable Kevin Smith and Deputy Chief Constable Neil Richardson had recently attended Woodside Place and had given a verbal update on the ACPOS day one report. This update had focused heavily on the proposed hierarchy. The report had given bare details of the internal geographical arrangements being considered.

ACPOS representatives were unwilling to share the work-stream reports which presumably backed up the hierarchy model. The General Secretary had received a confidential copy of the report and had been asked for an SPF view on its content. The JCC were content for the office bearers and staff at Woodside Place to respond as requested.

***Note:- The General Secretary received copies of all the work-stream reports following the closure of the meeting on day 2.**

The General Secretary reported that the Stage 1 process at the Scottish Parliament had slipped back one week and the SPF timeline would be altered accordingly.

The JCC discussed the requirement for the early appointment of a chief constable. Members discussed the extent to which Scottish Ministers should be involved in the process and whether an independent panel should be appointed to manage the process. It was agreed that the SPF should call for the early appointment of a chief constable and agreed that a media release to that effect should be issued. The media release below was circulated later in the day.

At a meeting of the SPF today, "serious concern" was expressed about progress towards a single police service for Scotland. Brian Docherty, Chairman of the Federation, said that unless a chief constable was appointed in the summer, a lot of the work currently being done could be wasted and the new service might not be ready to begin on April 2013.

Mr Docherty said, "How the service is structured and delivered are questions for the new chief constable to decide. What the command structure will look like, how and where departments will work, and who will work where are all decisions for the new chief constable. Unless he or she is appointed very soon, the April 2013 start date will be upon us without these important questions being answered".

As things are currently planned, Scottish Ministers will appoint the Scottish Police Authority and the Authority will appoint the chief constable in or around December 2012, but Mr Docherty says this will be too late. He said, "The appointment should be made in the summer. I can understand why Scottish Ministers do not want to exert undue influence but it is surely possible for them to appoint an independent panel to manage the appointment process on this first occasion. Major change like this always causes massive upheaval and we should do what we can to avoid that as much as possible. The appointment of the chief is so

important that it merits a special arrangement and it would be supported by all interested parties”.

The General Secretary circulated an extract from the Official Report of the Justice Committee Tuesday 6 March 2012. The Committee discussed the Police Investigations and Review Commissioner and the Police Appeals Tribunal. After a full discussion on these issues it was agreed that a supplementary letter of evidence should be submitted to the Justice Committee. The following letter was later submitted.

Justice Committee
Room TG.01
Scottish Parliament
EDINBURGH
EH99 1SP

Email: justice.committee@scottish.parliament.uk

Ref: CS/DJK/KB

Friday 16th March 2012

Dear Committee Member

Police and Fire Reform (Scotland) Bill

Thank you for the opportunity to give oral evidence to your Committee on 28 February 2012. I would like to make a further submission to you on three aspects of the bill.

Early Appointment of Chief Constable

At a meeting of the Joint Central Committee of the SPF on 13 February 2012, serious concern was expressed about the appointment of the chief constable being scheduled for December 2012. It was felt that this was much too late to allow the new chief constable to appoint the other members of the Service's executive and for them to make important decisions about the shape and operation of the Service. SPF fully understands that Scottish Ministers do not wish to exert undue influence on the appointment of a chief constable but believes an independent panel could be established to appoint him or her on this first occasion. SPF would like to see the appointment made as soon as possible.

Police Investigations and Review Commissioner

At your meeting on Tuesday 6 March 2012 when you heard evidence from Professor John McNeill and others, important issues were raised relating to the role and responsibilities of the Police Investigations and Review Commissioner (PIRC). On behalf of the SPF I want to make the following points.

SPF does not agree with Professor McNeill (col 1069) that the bill should make referral mandatory in serious incident, serious injury and police use of firearms cases. SPF believes this can adequately be covered in the regulations.

SPF agrees with Professor McNeill (col 1069) that forensic services should be made available to PIRC at no cost.

SPF does not agree with Professor McNeill (col 1070) that the police service and the Scottish Police Authority should be 'required' or have a 'duty' to co-operate with PIRC. We believe the bill at s67 makes adequate provision in this regard.

SPF does not agree with Professor McNeill (col 1071) that the PIRC should have primacy where a single incident engenders both a criminal inquiry and a PIRC investigation. The Lord Advocate is the head of the systems of criminal prosecutions and investigations of deaths in Scotland and is independent of any other person. The chief constable has a duty to comply with instructions from the Lord Advocate, the sheriff principal or the appropriate prosecutor in relation to offences and prosecutions. SPF believes that situation should persist where such a double investigation is necessary and the Crown should direct how the investigations are organised. We agree with Andrew Laing HMICS (col 1072) that the general principle should be set out in the bill and the bill should not be overly prescriptive.

SPF agrees with Professor McNeill (col 1073) that the PIRC and a head of investigations should be appointed as soon as possible.

Police Appeals Tribunal

As we wrote in our initial submission, SPF agrees with the provision in the bill that three solicitors or advocates comprise the Tribunal. Further, we believe the chair of the tribunal should be from the Faculty of Advocates to give it the gravitas and standing it deserves. Police officers losing their jobs are akin to doctors being 'struck off'.

SPF has serious concerns about the way misconduct hearings are currently run with hearing chairs believing they can run them as they see fit. SPF also has serious concerns about disregard for processes including:

- the admission of statements in lieu of oral evidence where no agreement between the parties has been reached
- disclosure only of statements which support the 'prosecution'
- subject officers or their representatives being prevented from testing 'evidence'

SPF believes that a tribunal constituted in accordance with the provisions of the bill and with a chair from the Faculty of Advocates will assist in enforcing compliance with proper processes in these areas.

Yours sincerely

Calum Steele
General Secretary

The JCC agreed efforts should be made to hold a Parliamentary reception on or around Wednesday 9 May 2012 in order to press to politicians some of the most significant areas the Committee would wish to see reflected in the Police and Fire Reform (Scotland) Bill. He advised there would be a cost associated with this and suggested these costs could be mitigated by seeking the co-operation of the Fire Brigade Union to share the event as the Bill under consideration impacted on both services. The Committee agreed and further agreed the General Secretary would provide nominated attendees at the reception with further details.

The General Secretary informed the Committee that an email address had been created; reform@spf.org.uk and work stream leads were asked to send a copy of all information they received relative to reform to that email address.

The Committee agreed that JCC Working Group minutes would be circulated to JCC members.

10a JCC Working Group on SPF ICT

David Hamilton provided the Committee with an update.

He advised members of the working group had discussed security, costs, the health and safety database, membership management databases, data protection policies and remote working policies.

The following two recommendations from the working group were placed before the Committee and following discussion were approved:

- The JCC ICT WG recommends to the JCC that it pursue a data centre solution as opposed to local servers.
- The JCC ICT WG recommends to the JCC that the WG examine alternatives for the Health and Safety database and customer relationship management systems.

10b JCC Working Group on SPF MEMBER SERVICES

Graham Neilson gave a brief update on this issue. The Committee noted that a paper containing proposals for a National Group Scheme had been circulated that day.

The following recommendation from the working group was placed before the Committee and following discussion was approved.

- JCC Working Group on SPF Member Services recommends to the JCC that it appoints an independent person to carry out the tendering process and that the selection of the provider(s) be a matter for the JCC.

Members generally agreed that the starting points for the new scheme should be the highest benefits at the lowest costs. It was understood that the working group would provide draft proposals to a future JCC meeting.

Graeme Ednie updated the Committee on work he had done relative to the force Benevolent and Welfare Funds. He had arranged an informal meeting at the Police Treatment Centre on 28 February when representatives of seven of the eight forces had attended. It had been agreed that each charity would circulate their benevolent and welfare fund rules and this had been done. A further meeting had been arranged for 29 March at the Police Treatment Centre where it was hoped that each fund could express a clear view about the future. He said that his own fund favoured a move to a national fund but was supportive of continued local delivery.

10c JCC Working Group on SPF STAFF

The last meeting of the JCC Working Group on SPF Staff was held on 1 March and minutes had been circulated. The Vice Chairman reported that members of the group had discussed the issue of staff members' skills/training and experience and said that details of this would be sought from JBB Secretaries later in the year.

10d JCC Working Group on SPF STRUCTURE

The General Secretary explained the timescale relative to the Statutory Instruments that would be required to be created as a consequence of the Bill. For the purpose of this group the most important was that which related to the SPF Regulations. He advised the primary legislation would lay out specific matters the Statutory Instrument needed to cover with further detail being contained within the Statutory Instrument itself.

He asked the Committee to endorse the broad principle that the future shape of the SPF should be primarily functional based rather than purely geographical. This was endorsed. He further asked the Committee to approve that the JCC office bearers at Woodside Place prepare proposals for SPF Structure to put to the JBB Secretaries in the first instance and then to the JCC. This was also approved.

11 OLYMPIC & COMMONWEALTH GAMES

The Deputy General Secretary informed the Committee that he and the General Secretary had met with Martin Gallagher of SPICC on 8 March where rosters, work force agreements and tours of duty were amongst the issues discussed.

Members expressed concern about rosters, the number of days to be worked before a weekly rest day, and how those rest days would be treated and compensated. Various proposals had been made about shift patterns but these had yet to be finally decided on.

The next meeting of the Olympic Working Group will be held on 21 March in Leatherhead and the Deputy General Secretary will attend.

12 SPF PROTECTIVE MARKING SYSTEM

The General Secretary informed the Committee that the meeting he had scheduled for 12 March was cancelled but that work was still progressing on this matter.

13 MOTIONS

Disclosure Legislation

This Joint Branch Board asks Annual Conference to ask the Joint Central Committee to approach the Scottish Government and the Crown Office and Procurators Fiscal Service and urge them to review the requirement to compile Schedules in relation to Solemn Court Procedures and the resultant impact it has on officers from all the Scottish Police Forces.

Grampian Joint Branch Board

This motion was carried and was remitted to the ESC.

Membership of Eurocop

This Joint Branch Board asks Annual Conference to ask the Joint Central Committee to re-join membership of EuroCop.

Strathclyde Joint Branch Board

This motion was defeated.

During the discussion however it became clear there was a desire to receive additional information on the subject and the General Secretary agreed to circulate a Briefing Paper he previously prepared on the subject.

Safer Working Practices

This Joint Branch Board asks Annual Conference to discuss health and safety implications regards failures to uphold The Police Federation (Scotland) Regulations 2004, Regulation 22, (periods of refreshment time for patrol officers) within the creation of the new Scottish police force, with a view to identify and implement safer working practices.

Strathclyde Joint Branch Board

This motion was discussed and it was agreed this matter was one the Health & Safety Forum could consider with a view to developing recommendations.

14 CORRESPONDENCE

The General Secretary informed the Committee that he had received numerous items of routine correspondence which was available for viewing at Woodside Place. The following specific items of correspondence were noted by the Committee;

- Letter from the Chief Constable of Northumbria Police inviting a representative to attend the memorial service for PC David Rathband.
- Letter from Martin Bertram notifying the Committee of his resignation from the JCC.
- Letter from a Grampian Police officer expressing thanks to Mike Kennedy for his assistance.

15 COMPETENT BUSINESS

The Vice Chairman asked that JBB Secretaries submit details of the cost of facilities provided to JBBs and the cost of abstractions for JBB meetings.

David Kennedy asked the Deputy General Secretary to speak to the Federation solicitors to ensure that hearings etc were not scheduled to clash with JBB meetings. He also asked that arrangements for meetings be notified to members through the Microsoft Outlook Exchange.

16 CLOSURE

The meeting closed with a vote of thanks to the Chairman.

BRIAN DOCHERTY
Chairman

CALUM STEELE
General Secretary

SERGEANTS' CENTRAL COMMITTEE

Minutes of the Sergeants' Central Committee meeting held in the Hilton Grosvenor, Glasgow, 13th March 2012.

1 Roll call

Iain McGregor	-	Central Scotland
John Adams	-	Dumfries and Galloway
Ian Muir	-	Fife
Graham Sloan	-	Grampian
Gordon Dixon	-	Lothian and Borders
John Crawford	-	Northern
Blair Henderson	-	Strathclyde
Graeme Neilson	-	Strathclyde
David Hamilton	-	Tayside
Rab Milligan	-	Ex Officio

2 Apologies

There were no apologies.

3 Chairmans opening remarks

The Chairman opened the meeting by welcoming everyone present and invited a full participation from the group.

4 Elections

Blair Henderson was returned as the Chair of the SCC and PNB representative.

Gordon Dixon was returned as the Secretary of the SCC and as the representative for the PTC and St Georges' Police Trust.

5 National Force

A discussion took place regarding the national police force and how it may impact on the role of sergeants.

6 Correspondence

There were no items of correspondence.

7 Competent business

There were no items of competent business.

8 Closure of meeting

The Chairman closed the meeting and thanked everyone for their input. He was acknowledged in the normal fashion.

BLAIR HENDERSON
Chairman

GORDON DIXON
Secretary

INSPECTORS' CENTRAL COMMITTEE

Minutes of the Inspectors' Central Committee meeting held in Hilton Grosvenor Hotel, Glasgow on Tuesday 13 March 2012

1. Roll Call

Andy McIntyre	-	Central Scotland
Garey Miller	-	Dumfries and Galloway
Scott McCallum	-	Fife
Mike Kennedy	-	Grampian
Stewart Sandilands	-	Lothian and Borders
Murdo MacLeod	-	Northern
Raymond McLeary	-	Strathclyde
Andrea MacDonald	-	Strathclyde
Alistair Black	-	Tayside

2. Apologies

Apologies were received from Willie MacLennan (Northern).

3. Opening of Meeting

The Chair opened the meeting and welcomed everyone. He also thanked everyone for the support and good wishes given to his family over the past few months.

4. Adoption of Standing Orders

Standing Orders were adopted for the duration of the meeting.

5. Minutes of Previous Meeting

The minutes of the previous meeting had been circulated and were adopted as a true record of that meeting.

6. Matters Arising

6.1 At the previous meeting it was agreed to invite Dr Victoria Vass and Professor Turnbull, authors of 'Time for Justice? Long Working Hours and the Well-Being of Police Inspectors', to Annual Conference to address the Inspectors' Central Committee. The Chair confirmed that this had been done and he was awaiting a response.

6.2 A brief discussion took place regarding arrangements for the Olympics and it was noted that the planning now seemed to be moving on. The Deputy General Secretary was to give an update at the full Joint Central Committee.

7. ICC Survey - 'Time for Justice? Long Working Hours and the Well-Being of Police Inspectors'

The results of the survey were formally launched in Oxford by PFEW on 6 March 2012. There is also a video available which highlights some of the issues raised in the report. The Committee viewed this video and agreed that it was extremely interesting especially as it made specific reference to the situation in Scotland.

It was agreed that the video should be shown at the ICC at Annual Conference.

The Chair provided a brief summary of the document and advised that he would circulate the full document and a link to the video to all members for wider distribution. It was hoped that this would engender a full discussion at Annual Conference.

The Chair had written to the ICC of PFEW thanking them for including Scotland in the survey and offering our continuing support.

There was an extensive discussion regarding the survey and it was eventually agreed that the Chair would send a copy with a covering letter to all Chief Constables, the Reform Group, the Cabinet Secretary for Justice, ASPS, ACPOS, COSLA and all eight Police Authorities.

8. Office Bearer Election

8.1 ICC PNB Rep (reserves), 2nd - Scott McCallum proposed by Raymond McLeary seconded by Garey Miller

Elected unopposed.

9. Correspondence

There was no correspondence received.

10. AOCB

There was no further competent business.

11. Date of Next Meeting

Date of next meeting is Tuesday 1 May 2012.

ANDREA MACDONALD
Secretary

MIKE KENNEDY
Chair