



# SCOTTISH POLICE FEDERATION

Established by Act of Parliament

## **CONDUCT SUB GROUP COMMITTEE (WEST)**

Minutes of the West Area Conduct Committee Meeting

Held at 151 Merrylee Road on 1/8/13 at 10am

### 1. ROLL CALL

#### **Present**

Jim Foy (Secretary)

David Kennedy (national lead)

William Park (T Chair)

Stuart Finnie

Blair Henderson

Kevin Moffat

Andy Hastie

Andy Smith

Apologies were received from Martin Bertram, Andy Keating and Charlie Sweeney

### 2. OPENING OF MEETING

The Secretary opened the meeting and called for an election for the appointments of chair and 3<sup>rd</sup> person to attend national meetings.

### 3. APPOINTMENT OF CHAIR

Grahame Gosling was nominated and seconded in his absence and duly appointed as chair of the committee.

#### 3a - Appointment of 3rd Person for National committee

Phil Maguire was then nominated and seconded in his absence and duly elected as the third member to attend national meetings.

William Park was then appointed as temporary chair for the duration of the meeting.

### 4. COMPLAINTS AGAINST THE POLICE

Discussions took place regarding operational statement requests in relation to complaints against the police. One member raised a concern regarding officers being ordered to submit operational statements. It was confirmed that these can only be required in relation to matters arising on duty and, regardless of the request or requirement, there is no obligation on officers to submit any statement that addresses criminal allegations against them.

Officers can always seek advice prior to submitting a statement. Advice regarding the content of statements can vary dependent on the circumstances. It will always be a matter for the individual officer whether he or she wishes to address any complaint but it must always be made clear to them they are under *no obligation whatsoever* to comment on alleged criminality.

### 5. CONDUCT

The secretary gave an update on current cases. There remain concerns over how many cases of alleged breaches of the Data protection Act are being investigated. It is clear that previous force training on this issue was completely inadequate and many

members remain unclear as to what constitutes acceptable conduct in this area.

The national lead updated the group on a draft SOP that was due to be published and stated he hoped to have another meeting soon with our colleagues at PSD regarding this issue.

The Secretary outlined the new monitoring process and explained how important it was that all matters involving conduct or criminal allegations are reported to him in order they can be monitored and recorded/allocated accordingly. Outstanding matters will be checked for progress and updated every 3 months, prior to each area meeting.

Several reps. had been present with members during (CCU) management meetings recently and, on the whole, no issues of concern were raised. In many cases the meetings were of benefit to members. The Secretary emphasised it was vital this area is monitored and any concerns should be forwarded to him and they would be raised with the relevant person at the earliest opportunity.

Discussions took place regarding the number of cases where misconduct papers had been served and probable outcomes.

The Secretary and national lead then discussed recent criminal trials involving officers. Whilst in most cases they resulted in not guilty verdicts, this is of no comfort to officer's who have been put through what can only be described as immeasurable suffering, in some cases for several years prior to being cleared. In recent cases Sheriff's comments have left little doubt that the officers were completely innocent of any allegation. One member raised concerns over case where clearly malicious allegations had been made, resulting in an officer being prosecuted. This is being pursued by the national lead.

The Secretary updated the committee that group insurance cover in relation to criminal matters covered the member only. Cover had wrongly been agreed in some cases in relation to family members.

#### 6. EFFICIENCY

To the knowledge of the committee there have been no recent proceedings under efficiency regulations. The situation will be monitored.

#### 7. POLICE APPEALS TRIBUNAL

There are no appeals in progress at the minute. The national lead reminded the group of how the new process will work. The situation will be monitored.

#### 8. POLICE INVESTIGATIONS AND REVIEW COMMISSIONER

The Secretary stated that the PIRC website contains updates on what they are investigating and recent reports are published. To date there have been no significant issues regarding this new body.

#### 9. VETTING

Responsibility for the vetting of new recruits now sits with the CCU. It is generally felt this will be to our advantage and should have a positive impact on the number of unsuitable officers recruited. Any issues concerning the vetting of recruits as and when they develop would be raised with CCU at the earliest opportunity.

#### 10. CORRESPONDENCE

Nothing raised.

#### 11. COMPETENT BUSINESS

No items of AOCB raised.

#### 12. CLOSURE

The temporary chair closed the meeting and thanked everyone for their attendance.